

Community Affairs Committee

Examination of Budget Estimates 2006-2007

Additional Information Received

CONSOLIDATED VOLUME 6

**FAMILIES, COMMUNITY SERVICES AND
INDIGENOUS AFFAIRS PORTFOLIO**

FaCSIA Outcomes: Cross Outcome, Outcomes 1 & 2

MAY 2007

Note: Where published reports, etc. have been provided in response to questions, they have not been included in the Additional Information volume in order to conserve resources.

ADDITIONAL INFORMATION RELATING TO THE EXAMINATION OF BUDGET EXPENDITURE FOR 2006-2007

Included in this volume are answers to written and oral questions taken on notice and tabled papers relating to the supplementary budget estimates hearing on 2 November 2006

* Please note that the tabling date of 10 May 2007 is the proposed tabling date

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

Senator	Quest. No.	Cross outcome	Vol. 6 Page No.	Date tabled in the Senate*
	T1 tabled at hearing	New FaCSIA organisation structure		08.02.07
Ludwig	3	Annual report		08.02.07
Ludwig	4	Preparation of Minister for Question time		08.02.07
Ludwig	7	Legal services projected expenditure for 2006-07		08.02.07
Evans	8, 12, 13	FaCSIA estimates process		08.02.07
Evans	14	Fraud		08.02.07
Evans	16	APEC 2007		08.02.07
Evans	1	Fraud and audit		08.02.07
Evans	2	Optical surveillance		08.02.07
Evans	9	FaCSIA estimates process		08.02.07
Evans	15	Fraud		08.02.07
Evans	17-21	Department re-organisation (OIPC)		08.02.07
Evans	356	Secretary's visit to Wadeye		08.02.07
Ludwig	5-6	Legal services external expenditure		08.02.07
Evans	22, 23	Department re-organisation (OIPC)		01.03.07
Outcome 1: Output group 1.1– Whole-of-government coordination of policy development and service delivery for Indigenous Australians				
	T2 tabled at hearing	List of first round SRA reviews		08.02.07
		Letter from FaCSIA dated 23 Nov 2006 clarifying evidence given at the hearing on 2 Nov 2006		08.02.07
Siewert	44-47	Tiwi Land Council contracts and agreements		08.02.07
Siewert	48-52	Tiwi Land Council expansion from 26,000 to 80-100,000 hectares		08.02.07
Siewert	53	Tiwi Land Council 2001 approval for 26,000 ha plantation		08.02.07
Siewert	54	Tiwi Land Council land valuation and remuneration of traditional owners		08.02.07
Siewert	55	Tiwi Land Council – impacts of land clearing		08.02.07
Heffernan	360	Tiwi Land Council – contracts and agreements		08.02.07
Crossin	25	Departmental reorganisation (OIPIC)		08.02.07

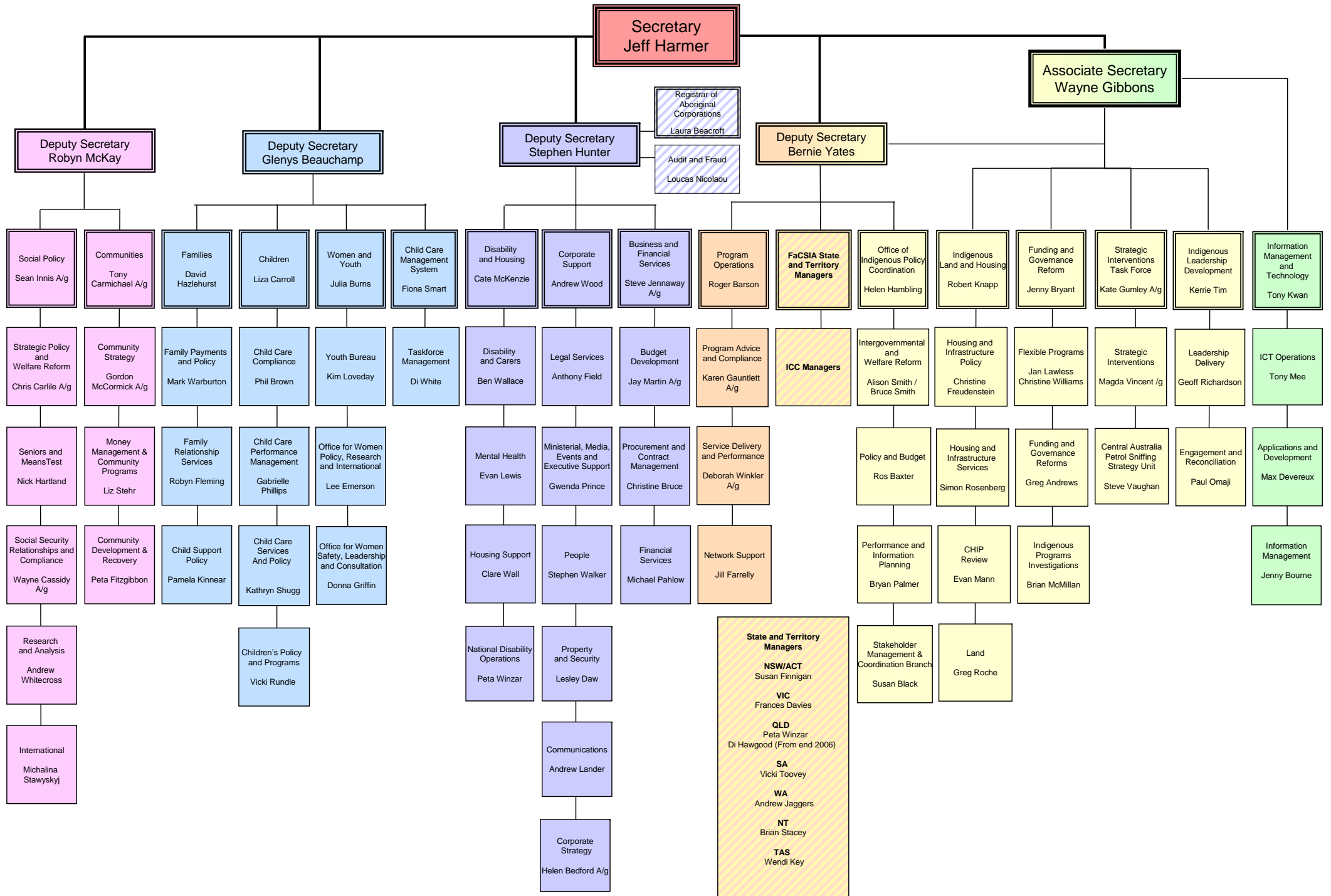
Senator	Quest. No.	Outcome 1: Output group 1.1– Whole-of-government coordination of policy development and service delivery for Indigenous Australians [contd]	Vol. 6 Page No.	Date tabled in the Senate*
Evans	27	Review of SRA performance information		08.02.07
Evans	29-31	Mutitjulu		08.02.07
Evans	32, 34	Greg Andrews - Lateline		08.02.07
Evans	36	Mutitjulu – persons criminal record		08.02.07
Evans	40, 41	Mornington Island		08.02.07
Crossin	72, 73	Shared Responsibility Agreements in the Northern Territory		08.02.07
Crossin	77	Development of Shared Responsibility Agreements and provision of project funding through organisations or family groups		08.02.07
Crossin	79	Education, arts and nutrition project at Dhuruputjpi		08.02.07
Crossin	85-91, 97, 98	Galiwin'ku Agreement		08.02.07
Evans	129	Aboriginal Hostels Limited (AHL) ante-natal/perio-natal hostels		08.02.07
Crossin	135-137	Mutitjulu		08.02.07
Evans	187	Response to red tape evaluation		08.02.07
Evans	35	Mutitjulu – person's criminal record		08.02.07
Heffernan	42	Mornington Id		08.02.07
Crossin	67, 69-71	OIPC - ICCs		08.02.07
Crossin	78	Provision of project funding through auspicing bodies who are responsible for the outcomes in the community		08.02.07
Crossin	74-76, 80-82	Dhuruputjpi Shared Responsibility Agreement Nhulunbuy Indigenous Coordination		08.02.07
Crossin	92-94	OIPC – Galiwinku Agreement		08.02.07
Crossin	118	National Indigenous Council		08.02.07
Evans	124	International summit on family violence		08.02.07
Evans	125	Family violence – senior Indigenous network		08.02.07
Evans	126	Family violence – improvement to governance		08.02.07
Evans	127, 128	Family violence – additional resources for police in Indigenous communities ; review of police resources in Indigenous communities		08.02.07
Crossin	140	Mutitjulu		08.02.07
Crossin	148-151	Mutitjulu community		08.02.07
Evans	293	Mornington Island		08.02.07
Crossin	95	OIPC – Galiwinku Agreement		08.02.07
Crossin	83-84	ICC's NT		08.02.07
Evans	183	Declaration on the Rights of Indigenous Peoples		01.03.07
Evans	24	ICC staffing		01.03.07
Crossin	28	SRA reviews		01.03.07
Siewert	37, 38	Mutitjulu Administrator		01.03.07
Crossin	146, 147	Mutitjulu community		01.03.07
Evans	33	Greg Andrews – Lateline		01.03.07
Crossin	139	Mutitjulu		01.03.07
Crossin	68	OIPC – ICCs		01.03.07
Crossin	122	National Indigenous Council		10.05.07

Senator	Quest. No.	Outcome 1: Output group 1.2 – Services for Indigenous Australians	Vol. 6 Page No.	Date tabled in the Senate*
Crossin	109	Outback stores initiative		08.02.07
Carr	60	Indigenous housing funding release processes		08.02.07
Carr	61-62	Indigenous housing		08.02.07
Carr	63	Indigenous housing and infrastructure		08.02.07
Crossin	110	Outback stores initiative		08.02.07
Siewert	56-57	Municipal services		01.03.07
Evans	163-164	Municipal funding - Davenport		01.03.07
Evans	166-168, 170	Municipal funding		01.03.07
Evans	173-174, 177-180, 182	Municipal services		01.03.07
Evans	184	Native Title representative bodies		01.03.07
Evans	186	Municipal services		01.03.07
Evans	294	Sub-contracting delivery of services under a funding agreement		01.03.07
Evans	175	Municipal services		01.03.07
Evans	165	Municipal funding – Davenport		01.03.07
Evans	176	Municipal services		01.03.07
Carr	59	Indigenous housing funding release processes		01.03.07
Carr	65, 66, 171	Community Housing and Infrastructure Program (CHIP) review		01.03.07
Evans	185	Native Title Representative Bodies		10.05.07
Carr	64	CHIP		10.05.07
Siewert	58, 181, 172	Municipal services		10.05.07
Evans	169	Municipal funding		10.05.07
Outcome 1: Output group 1.3 – Incorporation, regulation and capacity building of Indigenous corporations				
Evans	39	Mutitjulu - administrators		08.02.07
Evans	43	Aboriginal corporations – legal action		08.02.07
Crossin	111-117	Changes to the Corporations (ATSI) Act		08.02.07
Crossin	138, 141-145	Mutitjulu		08.02.07
Crossin	152	Mutitjulu Community Aboriginal Corporation - CEO		08.02.07
Crossin	154	Muckaty Aboriginal Corporation (MAC) (NT)		08.02.07
Crossin	155-159	Mutitjulu Aboriginal Corporation		08.02.07
Crossin	160	Mutitjulu medical records alleged unauthorised access		08.02.07
Crossin	161-162	ORAC website – role of registrar		08.02.07
Siewert	357	Mutitjulu		08.02.07

Senator	Quest. No.	Outcome 2: Output group 2.1 – Support for the Aged	Vol. 6 Page No.	Date tabled in the Senate*
Evans	123	Family violence regional activities program and the family violence partnerships		08.02.07
Evans	188-189, 191-193	Utilities payments		08.02.07
Evans	194	Pension bonus scheme		08.02.07
Evans	190	Utilities payments		08.02.07
Evans	197	Assets test		08.02.07
Evans	361	The 2006/07 Budget measure: <i>Fraud and Compliance: improved assessment of the value of real estate assets</i>		08.02.07
Outcome 2: Output group 2.2 – Support for People with Disabilities				
Eggleston	203	Commonwealth legislation standards of facilities for people with disability		08.02.07
McLucas	209	Commonwealth disability Strategy		08.02.07
McLucas	212	Young people with disability in residential aged care		08.02.07
McLucas	213-214	Young people in nursing homes		08.02.07
McLucas	216-218	Young people with disability in residential aged care		08.02.07
McLucas	219	Mental health respite place		08.02.07
Evans	221-231, 233-251, 358	COAG mental health package		08.02.07
McLucas	199	Funding agreement for the National Disability Advocacy Program		08.02.07
McLucas	200	National Disability Advocacy Program		08.02.07
Nash	204	Committee process around current National Disability Advocacy Program Review		08.02.07
Nash	205	Number of disability advocacy organisations funded by the Australian Government		08.02.07
Nash	206	Purpose or review of National Disability Advocacy Program		08.02.07
Nash	207	National Disability Advocacy Service in rural and regional Australia		08.02.07
Nash	208	Measuring the effectiveness of advocacy services		08.02.07
Evans	232	COAG mental health package		08.02.07
McLucas	198	Comments received to the consultation papers		08.02.07
Outcome 2: Output group 2.3 – Support for Carers				
McLucas	201	Special Disability Trust booklet		08.02.07
McLucas	202	Planning for the future – mediation and counselling		08.02.07
McLucas	253-254	Young carers		08.02.07
Evans	255	Carer allowance communication strategy		08.02.07
McLucas	359	Special Disability Trusts – reporting and audit requirements		08.02.07
Nash	252	Special disability trusts		08.02.07

Senator	Quest. No.	Outcome 2: Output group 2.4 – Support for Youth	Vol. 6 Page No.	Date tabled in the Senate*
Moore	256	Youth bureau		08.02.07
Moore	256 amended	Youth bureau		01.03.07
Moore	257	Australian Youth Policy and Action Coalition (AYPAC)		08.02.07
Outcome 2: Output group 2.5 – Support for Women				
Moore	258	Employment in the Office for Women		08.02.07
Moore	259	New director of the Office for Women		08.02.07
Moore	260	Support for victims of people trafficking programme		08.02.07
Moore	261	FaCSIA contract with Space Time Research		08.02.07
Moore	262	FaCSIA contract with the University of New South Wales who operate the Domestic Violence and Family Violence Clearinghouse		08.02.07
Moore	263	FaCSIA contract with the University of Queensland		08.02.07
Moore	264	FaCSIA contract with the Australian Institute of Family Studies (AIFS) regarding the operation of the Australian Centre for Sexual Assault		08.02.07
Moore	265	APEC 2007		08.02.07
Moore	266	Optional Protocol to the United Nations Convention on the Elimination of all Forms of discrimination Against Women (CEDAW)		08.02.07
Moore	267	National Safety Taskforce		08.02.07
Moore	268	Women's Services Network		08.02.07
Moore	269	FaCSIA contract with National Association of Services Against Sexual Violence		08.02.07
Moore	270	Women's Secretariats		08.02.07
Moore	272	Women's Safety Agenda		08.02.07
Moore	272 amended	Women's Safety Agenda		01.03.07
Moore	273	Violence Against Women. Australia Says No campaign advertising costs		08.02.07
Moore	274	Violence Against Women. Australia Says No campaign helpline costs		08.02.07
Moore	275	Violence Against Women. Australia Says No campaign helpline statistics		08.02.07
Moore	276	Violence Against Women. Australia Says No campaign research		08.02.07
Moore	277	Violence Against Women. Australia Says No campaign – Grey Worldwide Pty Ltd		08.02.07
Moore	277 amended	Violence Against Women. Australia Says No campaign – Grey Worldwide Pty Ltd		01.03.07
Moore	278	Mensline		08.02.07
Moore	279	Violence Against Women. Australia Says No campaign – advertising in New Weekly magazine		08.02.07
Moore	280	Violence Against Women. Australia Says No campaign campaign referral payments		08.02.07
Moore	271	Women's Leadership and Development Programme Grants		08.02.07

New FaCSIA Organisation Structure



Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 003

Topic: Annual Report

Hansard Page: Written

Senator Ludwig asked:

1. What date the agency's 2005-06 Annual Report was tabled before parliament?
2. If the annual report was not tabled by 31 October 2006, could the department indicate:
 - (a) When the report was tabled, or if it remains untabled what date the report is expected to be tabled by.
 - (b) Whether the agency's own legislation provides an alternative timeframe for its annual report. If so, could the department provide:
 - i. A description and reference to the relevant provision and legislation.
 - ii. An explanation of why the agency cannot meet the general timeframe set out in the Department of Prime Minister and Cabinet's Requirements for Annual Reports, and so requires an alternative timeframe?
 - (c) Whether the agency was granted an extension under section subsections 34C(4) - (7) of the *Acts Interpretation Act 1901*? If so, could the department provide:
 - iii. The date for finalizing the report as set out in the extension.
 - iv. The reason given for granting the extension.
 - v. The date that the Minister tabled in Parliament a statement explaining why an extension was granted.
 - vi. A copy of the Minister's statement.
 - (d) Where the agency's legislation doesn't provide for an alternative timeframe (as per question b) nor was the agency granted an extension (as per question c) could the department provide:
3. Explanation for why the Annual Report was tabled outside the timeframe set by DPM&C despite there being no provision alternative timeframe set out in the agency's legislation nor there being any formal extension granted
4. Details of any other arrangement in place for the tabling the agency's Annual Report.

Answer:

The 2005-06 Annual Report was tabled on 31 October 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 004

Topic: Preparation of Minister for Question Time

Hansard Page: Written

Senator Ludwig asked:

With regard to the preparation of Possible Parliament Questions briefs or other such documents intended to brief Minister's on an issue specifically for Question Time, could the department/agency provide:

- (a) The number of such briefs prepared in each of the last three financial years (2003-04, 2004-05, 2005-06).
- (b) The number of staff who are responsible for coordinating such briefs and the salary level they are engaged at.
- (c) The name of internal unit/team that those staff belong to and a description of its other responsibilities.

The total budget associated with the unit/team referred to in response to part 3.

Answer:

Provision of advice to the Minister through various forms of briefing is a core departmental responsibility. Information relating to volumes and coordination arrangements is contained in the Annual Reports over the last three years.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 007

Topic: Legal Services Projected Expenditure for 2006-07

Hansard Page: Written

Senator Ludwig asked:

What is the department's projected expenditure on legal services for 2006-2007?

Answer:

Actual expenditure is determined by demand, including the level of litigation to which the Department responds. Projected expenditure for 2006-07 estimated at \$7million, is monitored closely and kept under constant review.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 008

Topic: FaCSIA Estimates Process

Hansard Page: Written

Senator Evans asked:

On what date did the Minister direct the department to only answer some questions once a year?

Answer:

The Minister gives a range of directions on administrative matters both in regular discussions with senior executives and through other communications, to ensure appropriate use of departmental resources.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 012

Topic: FaCSIA Estimates Process

Hansard Page: Written

Senator Evans asked:

In terms of the questions that were not answered from the 2006 Budget hearings, can the department separately indicate the time/resources that were estimated to be required to answer each of those questions. If no assessment of the resources needed to answer the questions were made, then how was it determined that they did not require 'intensive resourcing'?

Answer:

All questions arising from the 2006 Budget hearings were answered.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 013

Topic: FaCSIA Annual Report

Hansard Page: written

Senator Evans asked:

In terms of the Department's provision of briefing material to the Minister and his office, does it estimate the resources required to respond to those requests? Given the 2005-06 annual report shows that the Department provided 1328 Question time briefs, 527 briefings requested by the Minister and 1791 briefings offered by the Department, what is the estimated cost of providing this material?

Answer:

Each Output Group has a financial and staffing resources section in the annual report. One component of that summary is the cost of policy services and program management.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 014

Topic: Fraud

Hansard Page: Written

Senator Evans asked:

In terms of reports of alleged fraud within the department, show the current status of each report for the years 2003-2004, 2004-2005 and 2005-2006? As shown in Question 9 from the February 2006 Additional estimates round.

Answer:

The status of the reports of alleged fraud within the Department received in 2003-2004, 2004-2005 and 2005-2006, as shown in Question 9 from the February 2006 Additional Estimates round, is that they are completed.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 016

Topic: APEC 2007

Hansard Page: Written

Senator Evans asked:

- (a) Please indicate the total funding allocated to the Department for APEC 2007 related purposes, please also indicate how this funding is broken down by financial year.
- (b) What is the purpose of this funding; and
- (c) What are the department's activities in regard to APEC 2007?

Answer:

An amount of \$0.228 million has been allocated in 2006-07 for the hosting of the APEC Social Safety Net Capacity Building Network (SSNCBN) in June 2007.

Department activities in regard to APEC 2007 will include hosting:

- The Social Safety Net Capacity Building Network (SSNCBN);
- The Gender Focal Point Network (GFPN);
- The Women Leaders Forum (WLF); and
- Featuring and promoting APEC in selected FaCSIA funded youth activities across Australia in 2007.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 001

Topic: Fraud and Audit

Hansard Page: CA 58 - CA 60

Senator Evans asked:

When did the report of the investigation go to the determining officer? What did the determining officer determine was the appropriate action that should be followed by the department prior to meeting with the officer to give them natural justice? When did the meeting with the officer take place and when did the officer resign? Could you also check whether or not before the determining officer met with the officer they had sought any higher authorisations to pursue a course of action?

Answer:

The investigation report was provided to the determining officer on 26 April 2005.

The officer was afforded natural justice by being provided with the investigation report, through the officer's legal representative, on 27 April 2005 and being invited to respond to the report. In a letter dated 12 May 2005, the officer's legal representative provided comments on the investigation report and advised that the officer would meet with the determining officer to make an oral statement.

The meeting with the officer took place on 18 May 2005 and the officer resigned effective from 24 May 2005.

The determining officer sought procedural and legal advice as necessary from the People Branch and Legal Services used by the department.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 002

Topic: Optical Surveillance

Hansard Page: CA 63

Senator Evans asked:

How much are Centrelink charging clients for all compliance activities?

Answer:

The data is not readily available. The Centrelink Funding Model can identify the cost of a review activity, but this data alone would be misleading. The cost of associated processing, for example changing payment rate or raising a debt, cannot be accurately disaggregated to reflect compliance or to other routine activities.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 009

Topic: FaCSIA Estimates Process

Hansard Page: Written

Senator Evans asked:

1. How does the department determine if answering a question requires “intensive resourcing”?
2. Does the department determine the time required to answer a question? i.e is it a time measure? If so is there a threshold over which a question is considered to require too many resources, eg. 20 hours?
3. In terms of the questions that were answered from the 2006 Budget hearings, can the department separately indicate the time/resources used to answer each of those questions? If no assessment of the resources needed to answer the questions were made, then how was it determined that they did not require ‘intensive resourcing’?

Answer:

The range of issues germane to the question were generally issues or requests that required detailed compilation or research beyond that routinely required by the department to meet the needs of Government and therefore is a redirection of departmental resources from core tasks. It is inappropriate to use resources in a way that does not support core departmental tasks directed to meeting the needs of the Government of the day.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 015

Topic: Fraud

Hansard Page: Written

Senator Evans asked:

In relation to the reported case of fraud discussed in the hearing, where the individual was suspended on full pay for seven months, was the individual required to attend the office during that seven month period? Is the Department aware whether the person found alternative work over the seven months? Were they prohibited by the Department from such work through the seven month period? If so how was such a prohibition enforced?

Answer:

The department was guided by the relevant provisions of the Public Service Regulations and Departmental guidelines in this matter.

Consistent with the decision to suspend the employee from duties with the department, the employee was not required to attend the office during the period of suspension.

In relation to the suspended employee, there was no prohibition by the department, on the employee engaging in alternative employment during the period of suspension. Departmental employees are required to seek approval to engage in other employment; there is no record of the suspended employee seeking approval to engage in other employment.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 017

Topic: Department Re-organisation (OIPC)

Hansard Page: Written

Senator Evans asked:

Please provide an overview of the Departmental structure which will be in place as a result of the re-organisation.

Answer:

The new organisation structure for FaCSIA was tabled at the hearing.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 018

Topic: Department Re-organisation (OIPC)

Hansard Page: Written

Senator Evans asked:

What are the objectives of the departmental re-organisation?

Answer:

The objectives of the re-organisation are to bring into effect the Administrative Arrangements Orders issued on 27 January 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 019

Topic: Department Re-organisation (OIPC)

Hansard Page: Written

Senator Evans asked:

When will this restructure begin? When will this restructure be completed?

Answer:

Implementation of the restructure began immediately after the Administrative Arrangements Orders were issued (27 January), at which time the department assumed responsibility for Indigenous affairs. Implementation of the restructure has been undertaken gradually. Revised governance arrangements and consolidation of corporate areas were put in place early. Changes to policy areas and the unification of the two arms of the network were implemented progressively.

Most of the restructure was completed by 1 November 2006, although further integration of some aspects is continuing.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 020

Topic: Departmental re-organisation (OIPC)

Hansard Page: Written

Senator Evans asked:

According to one newspaper report the Minister for FACSIA said he had developed a new business plan for Indigenous affairs which would be focused on 'outcomes'.

- (a) Please provide a copy of the business plan.
- (b) What are the key outcomes the new Indigenous branch or division or section will be seeking to achieve?
- (c) What performance indicators will be used to assess the new Indigenous branch or division or section's performance against these objectives?
- (d) What will this business plan and outcomes replace?

Answer:

The Australian Government's Blueprint for Action in Indigenous Affairs was endorsed by the Ministerial Taskforce on 6 September 2006. It sets out goals, priorities and ways of working with Indigenous Australians in order to make real change to quality of life. It focuses on different regions (urban, regional and remote), recognising that geographic factors affect the best ways to work with Indigenous people.

The Blueprint is not about a new Indigenous branch or division. It is a guide for Australian Government agencies and officers in working with Indigenous people across Australia. Plans are currently being finalised for its dissemination across government and to ensure it provides practical assistance to officers working with communities.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 021

Topic: Department Reorganisation (OIPC)

Hansard Page: Written

Senator Evans asked:

Regarding the allocation of staff in the re-structured department:

- (a) How many staff will be allocated to the new Indigenous branch or division or section?
- (b) How many of these staff will be moved from other areas?
- (c) Will there be an increase or decrease in the total number of staff allocated to Indigenous program areas?
- (d) Please provide the total number of staff in the OIPC before and after reorganisation of the department.
- (e) Please provide the total number of staff in the entire department (including OIPC) before and after the reorganisation.

Answer:

At the time of the Machinery of Government transfer of staff in May 2006, the former OIPC had 575 staff, 497 of who were working directly on Indigenous programs. The remaining 78 staff were working in corporate areas. The former FaCS had 166 staff working on Indigenous issues at that time. This represented a combined total of 663 staff working on Indigenous affairs in the newly formed department.

Under the current FaCSIA structure there remains at least that staff number assigned to Indigenous programs. Prior to OIPC joining the former FaCS, the two organisations had a combined staffing number of 2,495. As at 2 November, FaCSIA had 2,776 employees.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 356

Topic: Secretary's Visit to Wadeye

Hansard Page: CA 24

Senator Evans asked:

Could the Secretary please provide the date of his first visit to Wadeye?

Answer:

Dr Harmer's first visit to Wadeye as Secretary of FaCSIA was 19 May 2005.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 005

Topic: Legal Services External Expenditure

Hansard Page: Written

Senator Ludwig asked:

What sum did the department spend during 2005-2006 on external

- (a) barristers and
- (b) solicitors (including private firms, the Australian Government Solicitor and any others).

Answer:

The Department of Families, Community Services and Indigenous Affairs financial management system does not differentiate between expenses for Barristers and Solicitors. In 2005-06 the department spent \$3,295,884 on external legal services. This figure includes OIPC expenditure from 1 May 2006 when it joined with FaCSIA.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 006

Topic: Legal Services Internal Expenditure

Hansard Page: Written

Senator Ludwig asked:

What sum did the department spend on internal legal services?

Answer:

In 2005-06 the department spent \$2,502,572 on internal legal services. This figure includes OIPC expenditure from 1 May 2006 when it joined the department.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group 1.1

Question No: 022

Topic: Department Re-organisation (OIPC)

Hansard Page: Written

Senator Evans asked:

Please provide an overview of the budget which will be allocated to the new Indigenous branch or division or section, including budget figures for each area.

- (a) Will the total amount of resources allocated to administration of Indigenous programs be increased as a result of the re-organisation?
- (b) If so which program areas will be allocated more departmental funds?
- (c) Will any program areas be allocated additional *program* (administered) resources following the re-organisation? If so which areas?

Answer:

Just over \$30.6m of departmental funds has been allocated to the five FaCSIA Groups (divisions) that are focused on Indigenous matters (recognising that many mainstream areas also contribute to outcomes for indigenous people through mainstream programs). , as follows:

- OIPC Group \$7.1m
- Indigenous Land and Housing Group \$8.6m
- Funding and Governance Reform Group \$5.0m
- Strategic Interventions Taskforce Group \$5.1m
- Indigenous Leadership Development Group \$4.8m

In addition, OIPC resources applied to the integrated State and Territory network, including Indigenous Coordination Centres is \$27m; while \$11m is allocated to the Office of the Registrar of Aboriginal Corporations. Smaller amounts are allocated to other related functions.

The department is applying greater effort to improve the administration of its programs generally and to progress the Government's initiatives, including strategic interventions in a number of key areas. The total amount of administered (program) resources was not affected by the machinery of government change.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: Cross

Question No: 023

Topic: Department Re-organisation (OIPC)

Hansard Page: Written

Senator Evans asked:

According to one newspaper report the government will reduce the number of state managers in each state from two to one, by creating a single FACSIA state manager rather than a FACS state manager and an Indigenous Affairs state manager.

- (a) Where will the surplus state managers from each state be re-deployed?
- (b) According to the same newspaper report the Department will move staff from SA to remote areas in northern Australia. How many staff will be relocated?
- (c) Where in SA are these staff currently located?
- (d) What was their role before relocation?
- (e) What is the reason for the relocation?
- (f) Have the remote communities for re-deployment been identified? If so please list those communities.
- (g) What process will be used to identify the communities in northern Australia that surplus SA staff will be re-deployed to?
- (h) What additional resources will be necessary to support the staff deployed to these remote communities?
- (i) What allowances (for example, to pay for the cost of housing) will these remotely deployed staff be provided with?

Answer:

Each state situation is being handled on a case by case basis. Any surplus staff have been redeployed to national office. There is no move of staff out of South Australia resulting from the integration of offices.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

List of 1st Round SRA Reviews		
Agreement Title	Community	ICC State
Connecting youth to education	Narrandera	NSW
Hot Wheels	Muswellbrook	NSW
Bila Park Cultural Heritage Project	Tumut	NSW
Better facilities for the neighbourhood centre	Barkuma (Kurri Kurri)	NSW
Young women go to summer school	NPY Women's Council	NT
Better food, better living	Bonya	NT
Developing a mud crab business	Kulaluk	NT
Working towards self sufficiency	Emu Point	NT
Building the community	Barrow Creek	NT
Better health and education	Wilora	NT
A safer community through Elders	Tennant Creek	NT
Building community capacity	Gapuwiyak	NT
Keeping young people healthy and active	Palmerston Indigenous Village	NT
Community centre and internet café	Alpurrurulam	NT
New community store	Minjilang	NT
Traditional owners plan for the future	Girringun	QLD
Building the community	Doomadgee	QLD
The Baddagun Performers	Innisfail	QLD
Leadership skills for young people	Aroona	SA
Getting kids back to school	Coober Pedy	SA
A safer community	Yalata	SA
Building a sense of community	Bayulu	WA
Men's Service	Derby	WA
Strengthening families-family and community safety	Derby	WA
A bush museum	Kooljaman Resort at Cape Leveque	WA
Health and hygiene facilities	Yungngora	WA
Improving sport and recreation	Kupartiya	WA
Sporting activities	Bidyadanga	WA

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006



Australian Government

Department of Families, Community Services and Indigenous Affairs

Office of Indigenous Policy Coordination

Mr Elton Humphery
Committee Secretary
Community Affairs Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600



Dear Mr Humphery

In my evidence given to the Community Affairs Legislation Committee on 2 November 2006 I said, at page CA47 of *Hansard*, in answer to a question by Senator Evans concerning a certain document, that

“ . . . I passed the document, when it arrived, having already reviewed the contents on a television program, to the investigations area . . . ”.

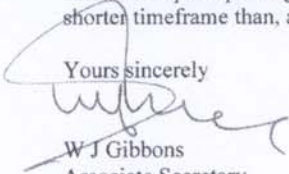
In that evidence I also said, at page CA48 of *Hansard*, also in answer to a question by Senator Evans concerning that document, that

“ . . . it came into the department anonymously and it was drawn to my attention immediately. I passed it to the investigations unit.”.

In checking the records of the Department today I have found that the document arrived in the hands of the Department, though not with me, on 9 June 2006, and that, after receiving it, later, I passed it to the Investigations Services Branch, on 22 June 2006.

I would appreciate it if you could draw this to the attention of the Committee, as I now see that, from my evidence, it could be thought that the receipt by the Department of the document, my subsequent receipt of the document, and my more subsequent passing on of the document, were events that occurred in a shorter timeframe than, as I am now aware, was the situation.

Yours sincerely


W J Gibbons
Associate Secretary

23 November 2006

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 044

Topic: Tiwi Land Council Contracts and Agreements

Hansard Page: CA 39 – CA 44.

Senator Siewert asked:

What formal legal agreement or contract exists between the Tiwi Land Council (TLC) and Great Southern Plantations (GSP) Pty Ltd in relation to the Tiwi forestry project? Please table a copy of the agreement.

Answer:

The contracts that exist are by way of Legal Deeds and Leases.

Their legal development and substance is referred to in the 19th Annual Report of 1997/98 page 9 and again in the 20th Annual Report of 1998/99 pages 9; 11-12.

Annual Reports 21; 22; 23; 24, 25, 26 and 27 of 1999 through 2006 all refer to compliance and monitoring under these Agreements.

The Legal Agreements are Commercial-in-Confidence with Great Southern Plantations Ltd.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

20/12 2006 12:52 FAX

TIWI LAND COUNCIL

22-12-06 09:55

Pg: 1/2

Managers:

Ngulu: (08) 8978 3755
Pirlangimpi: (08) 8978 3788
Milikapiti: (08) 8970 9152

Marine Rangers:

Pirlangimpi: (08) 8978 3788
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All correspondence to:
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Senator Gary Humphries
Chair
Community Affairs Committee
Department of the Senate
PO Box 6100
Parliament House
Canberra ACT 2600



Dear Senator Humphries,

I write in relation to questions on notice arising from the appearance by the Tiwi Land Council before the Senate Community Affairs Committee on 2 November 2006.

The Tiwi Land Council received 12 questions on notice submitted by Senator Siewert and one question submitted by Senator Heffernan. The responses have been sent separately to the Committee Secretariat.

The Council has declined to table a number of legal documents requested in Questions 44, 46, 49 and 360 on commercial-in-confidence grounds. Copies of the questions are attached

We understand that the Senate/Senate Committee order (Procedural Order of Continuing Effect, No 7) requires any claims of commercial confidentiality to be accompanied by a statement setting out the basis of the claim, including any commercial harm that may result.

The grounds for the claim are because the agreements are in confidence. The commercial partner, Great Southern Plantations, is an ASX listed company who believe that they will suffer considerable harm to their commercial operations through disclosure of the contents to actual and potential competitors, which would occur if the agreements are made public through the Senate committee record.

Yours sincerely

Robert Tipungwuti

Robert Tipungwuti,
Chairman.

21 December 2006

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 045

Topic: Tiwi Land Council Contracts and Agreements

Hansard Page: CA 39 – CA 44

Senator Siewert asked:

Does GSP have a formal legal agreement or contract with any other TLC entity, such as Pirntubula Pty Ltd? If so, please table a copy.

Answer:

The Tiwi Land Council is a Statutory Authority of the Commonwealth and has no other entities.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 046

Topic: Tiwi Land Council Contracts and Agreements

Hansard Page: CA 39 – CA 44

Senator Siewert asked:

What form of legal agreement exists between the traditional owners of the 26,000 ha of land being cleared for the plantations and GSP? Please table copies.

Answer:

Leases exist between the traditional owners and GSP.

As referred to in:

- Annual Report number 20 of 1998/99, page 9;
- Annual Report number 21 of 1999/2000, page 8;
- Annual Report number 22 of 2000/2001, pages 10,11,12; and
- Annual Report number 25 of 2003/04; pages 20,21.

These are registered leases in confidence between the parties.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 047

Topic: Tiwi Land Council Contracts and Agreements

Written question on notice

Senator Siewert asked:

Both Sylvatech and now new owners GSP have stated many times that they intend expanding the Tiwi forest project to up to 80-100,000 hectares total plantation area. Has the TLC formally endorsed this plan? If so, please table a copy of the endorsement, or the minutes of the meeting where it was endorsed

Answer:

The Tiwi Land Council has not formally endorsed this plan.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 048

Topic: Tiwi Land Council Expansion from 26,000 to 80-100,000 Hectares

Written question on notice

Senator Siewert asked:

At the time of GSP's takeover of Sylvatech, GSP stated on its website: *"The acquisitions will provide Great Southern with an increased and diversified land bank: Total area of up to 100,000 ha of long leasehold land (30 yr lease + 30 yr option) on Melville and Bathurst Islands, NT"*.

Where is this 100,000 ha of long leasehold land – will the TLC table a map of the area in question?

Answer:

The land is on Bathurst and Melville Islands.

A map is unable to be provided, as to identify the boundaries of the increased land bank requires particular identification by individual landowning groups who seek forestry development; together with compliance with identified environmental constraints.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 049

Topic: Tiwi Land Council Expansion from 26,000 to 80

Written question on notice

Senator Siewert asked:

On Thursday 17 February 2006, GSP released a 'COMPANY ANNOUNCEMENT / MEDIA RELEASE' in relation to the takeover of Sylvatech which states:

“Sylvatech’s option over 100,000 hectares of high rainfall, flat, forestry land will help underpin the future success of the company. Mr Young added that Great Southern is committed to continuing and expanding hardwood forestry projects in the Tiwi Islands, noting that the existing projects recently won a Prime Minister’s Award for Excellence in Community Business Partnerships.”

What legal form does this 'option' over 100,000 hectares take? Please table a copy.

Answer:

This is an Option Deed and is Commercial-in-Confidence between the parties.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 050

Topic: Tiwi Land Council Expansion from 26,000 ha to 80.

Written question on notice

Senator Siewert asked:

- (a) What area of land has been agreed for clearing and plantation establishment beyond the existing 26,000 ha? Can you table maps showing where agreements have been reached for plantation expansion?
- (b) What form does any such agreement take? Who are the parties to the agreement and what are the terms of the agreement?

Answer:

No area of land has been identified or agreed beyond the existing land approvals.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 051

Topic: Tiwi Land Council Expansion from 26,000 ha to 80.

Written question on notice

Senator Siewert asked:

Has the TLC sought Commonwealth EPBC approval for the expansion of the project beyond the existing 26,000 ha? If not, when does TLC envisage such approval will be sought?

Answer:

No EPBC approval has been sought for project expansion.

Landowners are currently discussing the matter and the Land Council will seek EPBC approval when instructed by the Landowners to do so.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 052

Topic: Tiwi Land Council Expansion from 26,000 ha to 80.

Written question on notice

Senator Siewert asked:

- (a) Is Great Southern Plantations Pty Ltd approaching various traditional owners on **Melville Island** to seek their agreement to an expansion of the Tiwi Forestry project on their land? If yes, have any traditional owners agreed?
- (b) Is Great Southern Plantations Pty Ltd approaching various traditional owners on **Bathurst Island** to seek their agreement to an expansion of the Tiwi Forestry project on their land? If yes, have any traditional owners agreed?

Answer:

Yes and many landowners are considering the matter, but at this stage none have agreed.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 053

Topic: Tiwi Land Council 2001 approval for 26,000 ha plantation.

Written question on notice

Senator Siewert asked:

At the time the project was approved in 2001 a number of conditions were attached. Eleven are legally binding and enforceable and include:

- a. Condition 4. Plan to mitigate the impacts of clearing. Has it been produced, submitted and approved? If not why not? If yes table
- b. Condition 5.
- c. Condition 6.
- d. Condition 7.
- e. Condition 10.
- f. Condition 11.

Answer:

A 56 page Compliance Report EA reference EPBC 2001/229- "Compliance with and progress towards Approval conditions" was produced, submitted and approved in 2002/03.

Implementation and data collection to comply with conditions under 2001 approvals are referred to in Annual Reports.

Tiwi Forestry Strategic Plan outlined and discussed in the 21st Annual Report of 1999/2000 on pages 39, 40 and 41.

Tiwi Natural Resource Management Strategy outlined and discussed in the 22nd Annual Report of 2000/2001, pages 29, 30, 31.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 054

Topic: Tiwi Land Council Land Valuation and Remuneration of Traditional Owners.

Written question on notice

Senator Siewert asked:

- (a) Great Southern Plantations has stated in media releases, shareholder advisories and on its web site that one of the main reasons it acquired the Tiwi forestry project was because, *“The Sylvatech acquisition will provide Great Southern access to extensive plantation land for future projects at a significant discount to current market prices for land in Great Southern’s traditional plantation regions.”*
Is the TLC concerned that the Traditional Owners upon whose land the project is taking place are receiving fair recompense by this project in terms of the lease fee they are being paid?
- (b) Has the TLC conducted any independent assessment of what a fair lease fee for traditional owners would be? If yes, please table the report.
- (c) Does GSP, or its predecessor, pay the land lease fee direct to the traditional owners, to the TLC or to some TLC-related body? If the land lease fee is paid to the TLC or some TLC-related body, please advise the amounts paid for each of the last three years. What happens to this money once it has been received by this body? Is it distributed in full to the owners of the land that is the subject of the lease? If not, how is it distributed, and what proportion of the funds are allocated to the Traditional Owners of the lease?
- (d) What is the annual lease payment per hectare paid by the company?
- (e) When large areas of plantation were recently destroyed by cyclone Ingrid (March 2005), did the traditional owners of the land affected go on receiving the pre-cyclone level of lease payment, or was there a reduction?

Answer:

Yes, the TLC has both a legal and moral obligation to assure that landowners receive a fair recompense for leasing land.

Yes, 24th Annual Report of 2002/2003 page 12; 25th Annual Report of 2003/04 page 10; 26th Annual Report 2004/2005 page 9; 27th Annual Report 2005/2006 page 10 all refer to this independent valuation by the Australian Valuer General’s Office.

Lease payments are made without deduction to owners of the land as indicated in quantum and process in Annual Reports listed in the answer (b) above.

The most recent 27th Annual Report of 2005/2006 at page 10 notes:- \$17/ha/year.
No, many forestry and native forest areas were destroyed. However, the landowners had no land destroyed and continued to receive their CPI indexed lease payments without any reductions.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 055

Topic: Tiwi Land Council – impacts of land clearing.

Written question on notice

Senator Siewert asked:

Is the TLC aware of the latest scientific paper raising concerns about the impacts of expansion of clearing and plantation establishment on the Tiwi islands, which states: *“Extensive plantation development is now occurring on the Tiwi Islands, and is likely to expand considerably over the next few decades. This development targets the tallest and most well developed eucalypt forest environments, which are especially favoured by C. penicillatus [brush-tailed rabbit rat] and much used by many other mammal species. Our results suggest that most of these species are absent or uncommon in the plantations that replace these forests, and hence that this development will substantially reduce the status of these mammal species on this island stronghold.”*

Source: Environmental relationships of the brushtailed rabbit-rat, *Conilurus penicillatus*, and other small mammals on the Tiwi Islands, northern Australia Ronald S. C. Firth^{1*}, John C. Z. Woinarski², Kym G. Brennan and Craig Hempel *Journal of Biogeography* (J. Biogeogr.) (2006) 33, 1820–1837. Are the traditional owners represented by the TLC aware of these findings?

Answer:

Yes the TLC and many Tiwi Landowners are aware of these findings; particularly the eight Tiwi Land Management Officers who work with endangered species and continue to both identify and monitor risks associated with the plantation industry in their work with the authors of the paper referred to.

Environmental risks and actions in regard to endangered species and data loading to the Land Council Geographic Information System are identified in Forestry Strategic work plans 21st Annual Report of 1999/2000; pages 20, 39; 40 and 41.

22nd Annual Report 2000/2001, Natural Resource Management Strategy pages, 26,27,28,29, 30 and 31.

25th Annual Report 2003/2004; pages 22,23.

26th Annual Report 2004/2005; pages 22,23, 24,25 and 26.

And 27th Annual Report 2005/2006 pages 22,23, and 24.

Tiwi Land Management Officers, in addition to their attendance at many organisational meetings also regularly visit all schools on the Tiwi Islands discussing their work with Tiwi youth.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 360

Topic: Tiwi Land Council – Contracts and Agreements.

Hansard Page: CA 42

Senator Heffernan asked:

Please provide a copy of the agreement or contract that exists between the Tiwi Land Council (TLC) and Great Southern Plantations (GSP) Pty

Answer:

The legal deeds and leases are referred to in 19th Annual Report of 1997/1998 at page 9; and 20th Annual Report 1998/1999 at pages 9, 11 and 12.

The Legal Agreements are Commercial-in-Confidence with Great Southern Plantations Limited.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 025

Topic: Department Reorganisation (OIPC)

Hansard Page: CA8

Senator Crossin asked:

How many senior managers does OIPC now have?

Answer:

As at 2 November 2006 FaCSIA had 39 Senior Executive Service staff working in areas in both National Office and the State and Territories that are focused on Indigenous affairs (including 6 in the new OIPC Group).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 027

Topic: Review of SRA Performance Information

Hansard Page: Written

Senator Evans asked:

What date was the review of performance information in SRAs finalised?
Can you provide a copy of the guidance provided to ICC managers and staff regarding SRA performance information as a result of that review?

Answer:

The review of performance information was completed in July 2006. As it is not normal practice to release internal advisory material, the guidance given to ICC Managers and staff has not been provided.

Performance Information

Performance Indicators:

How can we tell if this SRA is working?

Performance information is required to measure how well the SRA is working. Performance indicators can be qualitative (relating to the quality of an outcome for example, community working party to produce a written history on the community) or quantitative (a number or statistic for example, number of school days absent or number of incidents of alcohol related crimes reported to the police). Performance information should be developed in consultation with the community and relevant

stakeholders.

Performance Indicator – measures change in the community. It is used to assess performance in relation to achieving SRA outcomes (eg number of Indigenous people who transfer from CDEP to regular employment each year). Performance indicators can be used to determine if there has been significant behavioural change in the community.

Baseline data – is the starting point against which performance will be measured. Baseline data may be quantitative (numerically based eg 58 Indigenous children immunised) or qualitative (not numerically based eg an initial qualitative report provided by a community council or committee followed by quarterly progress reports). Baseline data should be collected and/or provided before SRA approval. Please note: Baseline data will not always be '0'. For eg baseline of '0' for number of days absent from school would indicate that there was no problem in school attendance.

Features of Good Indicators:

When developing baseline data and performance indicators, consider how we are going to know that the SRA has been successful and how will we formally measure if the community's priorities have been met?

Performance indicators should be

- Available and collectable – the person who has or will provide the information has been identified and has agreed.
- Valid and reliable – can the indicator actually tell us something about performance and behavioural change in the community?
- Low respondent burden – can be collected with a low impost on clients or service providers.

Senate Community Affairs Legislation Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

- Specific data item – not a general concept like ‘crime rates’ or ‘social cohesion’, consider using ‘number of incidents of alcohol related violence reported to police’.
- Available and comparable – so we can measure the progress of the SRA over time.

Principles for SRA indicators

- Precise and related to the community priority.
- No more than 3-5 indicators (suitable to size of investment, size/nature of community and SRA initiative).
- At least one quantitative indicator needs to have baseline data (eg for the performance indicator: number of student days absent per term, the baseline data would be the current number of student days absent per term i.e.12).
- Include a qualitative indicator(s) such as a report by community council if appropriate. Qualitative indicators are useful if the data set is too small, too sensitive, difficult to obtain and/or more appropriate to SRA initiative and in capturing behavioural change.
- Don't use milestones as performance indicators (eg employment of youth worker is a milestone not a PI).
- Performance indicators should be reviewed and collected regularly and reports prepared and attached to AMIS on file (timeframes to be agreed to in the SRA).

For further advice and support on performance indicators please contact Chris Betizel in the Performance and Information Planning Branch on (02) 6121 4801.

What are the key milestones for Government/ Community/ Other parties?

A milestone is an identifiable stage in the completion of a task, activity or project (eg, installation of the basketball court or employment of a youth worker). Reaching milestones helps to show that we're on the right path to achieving the community's priorities. Milestones can be used to measure the progress of SRA inputs and outcomes and should include timelines and the stakeholder(s) responsible for delivery of the service, infrastructure etc.

Examples of Milestones

- *Business Plan is completed within 3 months of SRA signing (input milestone).*
- *Steering Committee established and governance training completed by April 06 (outcome milestone).*
- *Vandalism in the community reduced by 20% by August 06 (outcome milestone)*

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

- *Sports Hall Renovation complete by May 07(input milestone).*

Monitoring the SRA

In many cases SRAs involve significant financial contributions that must be monitored carefully as we are accountable when using any public monies. When developing an SRA we need to develop the agreed two-way feedback mechanisms and monitoring strategies to be used including how often and by whom. Where there are issues that impact on the implementation of a SRA good monitoring will assist to identify problems early and allow for timely interventions and support.

Two pro-formae have been developed to assist you in this task:

- **SRA Monitoring Report** (Attachment A) can be used by ICCs to capture information around the delivery of SRA commitments, the SRA impact (including evidence of commitment to meaningful change in community behaviours), performance data, lessons learned and an overall assessment of the SRA. The frequency and stakeholder(s) responsible for formal reports needs to be clearly stated.
- **Two way feedback** is the mechanism through which parties to the agreement can communicate about SRA activities. The **Record of Two Way Feedback** (Attachment B) will

enable ICCs to capture the key issues(s) discussed, the potential impacts and the actions and follow up required. This document can be used to record communication with communities and other parties to the SRA. This may include telephone contact, information from other agencies or feedback obtained in the course of ICC business.

During the negotiation of the SRA it should be made clear how stakeholders will be responsible for monitoring their own efforts and the timeframe required. The SRA should also describe how feedback mechanisms will be used to discuss community satisfaction or issues with the contributions government and other parties are making to the SRA.

Attachment A

SRA MONITORING REPORT

ICC	
SRA Title and AMIS Number	
Date SRA signed	

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Report prepared by	
Date	

Delivery of SRA Commitments

Have SRA obligations been met by all parties? *(Use the SRA schedule to comment on each obligation for Government/State/Community/other parties, with reference to relevant timeframes).*

Are any SRA obligation items outstanding? *(If so, describe why the commitment has not been delivered).*

Comment on the effectiveness of the two way feedback mechanisms *(What interactions have taken place between relevant parties regarding this SRA? Has the community had an opportunity to provide feedback on progress and other parties' commitments to the SRA?).*

Is funding for this SRA being used for the intended purpose as described in the SRA? *(If not, why e.g. what circumstances have changed? Is delivery dependant on community activity e.g. the Mulan community organizing the installation of the petrol bowser? If the agreements focus has changed significantly since signing has a variation proforma been completed?).*

Description of SRA Impact

Taking into account the community's circumstances, comment on the impact of the SRA. *(Please describe which elements are successful and why as well as which elements aren't working and why. Also consider any unintended consequences, positive or negative).*

Comment on the extent to which the community's responsibilities go beyond accessing or maintaining the benefit provided in the SRA. *(Is there evidence of a commitment to meaningful change in community behaviors?).*

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Performance Data

Has performance indicator information been collected and is it attached to AMIS? *(This is the performance indicator data described in the SRA or additional data as agreed with the community after signing. If the data has not been collected please indicate timeline for collection).*

Of the performance information collected, what does this data indicate? *(Describe any changes, trends or improvements).*

Have the Milestones for the SRA been met? *(Comment on the progress for key milestones as outlined in the SRA schedule. If milestones have not been met indicate timeframes and reasons for delays).*

Lessons Learned

Describe lessons learned during the development and implementation of the SRA *(consider the negotiation process, baselines and PI development and collection, the effectiveness of the community obligations and the accuracy and appropriateness of identified priorities to the actual community need).*

Overall Assessment of SRA

In consultation with the ICC Manager and taking the above responses into consideration, provide an overall comment in relation to the progress of this SRA. *(Indicate if the SRA is progressing well, if obstacles have been encountered and further support is required or if serious implementation difficulties have occurred and remediation/renegotiation is required).*

Follow-Up Actions *(Describe any changes that might need to be made to the SRA and the strategy for agreeing/implementing such changes. Discuss any changes with the community and clearly identify follow up actions, including any additional support e.g. Expert Panels or the MUL. Please ensure AMIS is updated in the 'Notes Field' to reflect any follow-up actions).*

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Issue	Action	Responsibility	Timeframe
<i>(E.g.: FFP funding not released)</i>	<i>(E.g. Finalise FFP approval)</i>	<i>(Deputy ICC Manager)</i>	<i>(13March 06)</i>

General Comments

(This section is for any additional comments in relation to the performance and monitoring of this SRA).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Attachment B

RECORD OF TWO WAY FEEDBACK

(This document can be used to record communication with communities and other parties to the SRA. This information should be included in supporting documentation in AMIS).

ICC	
SRA Title and AMIS Number	
SRA Contact Officer	
Discussion Initiated By	
Date of Discussion/Event	
Type of Contact <i>(e.g. informal meeting, phone call etc)</i>	

Key Issues(s) Discussed

-
-
-

Potential Impacts

-
-
-

Outcomes/Actions Required and Timeframes

-
-
-

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Follow Up

(Were the desired outcomes/results achieved from this feedback process?)

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 029

Topic: Mutitjulu

Hansard Page: CA34

Senator Evans asked:

On what occasions did any department officers provide direct complaint or provide reports to the NT police about concerns regarding criminal activity at Mutitjulu. Are you able to advise whom and when?

Answer:

On 27 June 2006 the Director, Investigation Services Branch, Office of Indigenous Policy Coordination provided to the Northern Territory Police a complaint of instances of harassment emanating from Mutitjulu.

On 17 November 2006 the Director, Indigenous Programs Investigations Branch, Department of Families, Community Services and Indigenous Affairs reported to the Northern Territory Police an allegation involving Mutitjulu Community Aboriginal Corporation (Administrator Appointed).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 030

Topic: Mutitjulu

Hansard Page: CA35

Senator Evans asked:

Please provide authorship of report on criminal activity sent to the NT police.

Answer:

The Associate Secretary, Department of Families, Community Services and Indigenous Affairs, stated that he could not “go into naming sources of information without compromising the whole system of intelligence gathering” and that he was unable to recall whether the document the subject of this Question was “authored by somebody outside the department or pulled together by somebody in the department” (Hansard CA35). The document was authored by somebody outside the department.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 031

Topic: Mutitjulu

Hansard Page: CA36

Senator Evans asked:

Regarding 5 page fax sent to NT police:

- Who communicated with the sources in the community and compiled the document?
- Who forwarded this document to the police?
- Was it clear it came from OIPC?
- Was there a cover page on the fax?
- Can we see it?

Answer:

See the Answer to Question Number 30 concerning the authorship of the document which is the subject of the Question. As the Associate Secretary, Department of Families, Community Services and Indigenous Affairs stated, the Office of Indigenous Policy Coordination forwarded the document to the Northern Territory Police (Hansard CA34), and it was clear that the document was from the Office of Indigenous Policy Coordination (Hansard CA 36). The Director, Investigation Services Branch was the individual who forwarded the document. There was no cover page.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 032

Topic: Greg Andrews - Lateline

Hansard Page: CA37

Senator Evans asked:

What advice was provided to Mr Andrews prior to appearing on Lateline, about whether he should appear?

Answer:

The Associate Secretary, Department of Families, Community Services and Indigenous Affairs stated “Mr Andrews was counselled that this was something that he was doing as an individual and not as an officer of the department” (Hansard CA 37).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 034

Topic: Greg Andrews - Lateline

Hansard Page: CA46

Senator Evans asked:

What date did discussions with Greg Andrews and Wayne Gibbons occur re Lateline?
When was the matter concerning the officer who accompanied Mr Andrews to Mutitjulu, and now currently suspended, referred to the AFP?

Answer:

31 May 2006 and 2 June 2006.

As indicated in Hansard, page CA47, the matter of apparent breaches of section 70 of the *Crimes Act 1914* was referred to the Australian Federal Police on 10 July 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 036

Topic: Mutitjulu – Persons criminal record

Hansard Page: CA51

Senator Evans asked:

Did you make the document available to the Minister's office or anyone else, apart from the investigations unit?

Answer:

The document was not made available to the Office of the Minister for Families, Community Services and Indigenous Affairs. A copy of the document was made available, as appropriate, on a personal and confidential basis, to the Head of the Agency responsible for the funding, by the Commonwealth of Australia, of the organisation with which the person concerned was involved. The document was faxed to the Northern Territory Police by the Investigations Services Branch (see Hansard pages CA49-CA50).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 040

Topic: Mornington Island

Hansard Page: CA55

Senator Evans asked:

How much was spent on Former Origin Greats (fogs). Could you check the website and provide a breakdown of funding?

Answer:

A total of \$459,937.50 has been spent on this program to date (\$306,625 in 2005-06 on operating and establishment costs and \$153,312.50 in 2006-07 to date).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 041

Topic: Mornington Island

Hansard Page: CA56 and CA57

Senator Evans asked:

Is the service provider, Primary After School Sports, a related company of FOGS and is it a not-for-profit organisation?

Answer:

No and yes.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 072

Topic: Shared Responsibility Agreements in the Northern Territory

Hansard Page: Written

Senator Crossin asked:

- (a) Could you provide me with a list of all SRAs agreed and signed off in the NT?
- (b) You may claim they are on the website but my next question is that your OIPC website seems several months out of date on these – why is this? There seems to be nothing after about August this year – has there been a big slow down in signing SRAs?

Answer:

A list of all signed SRAs in the Northern Territory is available from the OIPC website.

The OIPC website is updated as ICCs advise that SRAs have been signed and that parties to the agreement have agreed to its public release. The major resource commitments associated with the renewal of funding agreements results in seasonal slowdown in SRA activity early in each financial year.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 073

Topic: Shared Responsibility Agreements in the Northern Territory

Hansard Page: Written

Senator Crossin asked:

Can you tell me how long is the average time taken from starting SRA negotiations to sign off?

Answer:

The length of negotiations can be affected by a diverse range of factors, including the complexity of the issues under discussion, the preparedness of the parties and matters impacting on the availability of community members such as cultural business and weather conditions. Data is not kept that enables averages to be calculated, because SRAs progress differently depending on the circumstances, any such data would be meaningless.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 077

Topic: Development of Shared Responsibility Agreements and provision of project funding through organisations or family groups.

Hansard Page: Written

Senator Crossin asked:

Is it intended by OIPC to make this sort of direct negotiation with family groups more the usual model, and if so how do you meet the need of releasing funds only to incorporated organisations?

Answer:

This is a relatively new initiative. The releasing of funds will be done in such a way that ensures the best security and use of taxpayer funds.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 079

Topic: Education, Arts and Nutrition project at Dhuruputjpi

Hansard Page: Written

Senator Crossin asked:

What happens if the initial funding estimate and agreed amount is then insufficient, does the signatory incorporated organisation have to find the rest of the funds?

Answer:

Funding requirements are estimated as accurately as possible in developing project proposals. Decisions on requests for additional funding are handled on a case by case basis, taking account of all the relevant factors including the reason for the shortfall and alternative approaches for achieving outcomes within the initial agreed funding envelope.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 085

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

The following questions refer to the major agreement being negotiated at Galiwinku Community in the Northern Territory announced in a press release by Minister Brough on 19th June. Who has since visited Galiwinku to discuss this plan - on what dates, and for how long each time?

Answer:

There has been a range of meetings in addition to the Minister's visit on Saturday 17 June 2006 to explain the offer. The times for each meeting have varied from one hour to five hours. On 7 July 2006, an open letter was presented to the community to outline the Minister's proposal: a number of senior departmental officers attended that meeting, including the NT State Manager. On 19 July, a senior officer transferred to live at Galiwin'ku and to work on the plan full-time. The NT State Manager visited on Friday 28 July and stayed until Saturday 29 July. On 9 November 2006, Minister Brough and several senior departmental officers visited the community to discuss the plan further.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 086

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

With whom have they met – traditional owners, ordinary people, just the Council...?

Answer:

Meetings have been held with township and homeland residents, community organisations, clan groups, clan leaders, Traditional Owner groups, local staff and individuals.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 087

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

How many traditional owners have been positively identified and by whom?

Answer:

Responsibility for identifying traditional owners rests with the Northern Land Council.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 088

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

What role has the Northern Land Council had?

Answer:

The Northern Land Council has agreed to consult traditional owners and others affected, consistent with its obligations under the *Aboriginal Land Rights (Northern Territory) Act 1976*. Section 19A(2) of that Act requires that the relevant Land Council be satisfied (among other things) that the traditional Aboriginal owners of the land understand the nature and purpose of the proposed lease prior to a lease being granted.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 089

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

Who has explained the legalities and technicalities of any 99 year lease? How have they explained the legal jargon?

Answer:

Staff of the Northern Land Council, including experienced lawyers and anthropologists, have been consulting with traditional owners since July 2006 to explain the legal arrangements associated with a head lease.

In addition, an open letter outlining the Minister's proposal was presented to the community on 7 July 2006. The letter is at [Attachment A](#).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Attachment A

**HOW TO SHARE RESPONSIBILITY - MESSAGE TO THE PEOPLE OF
GALIWIN'KU AND THE MARTHAKAL HOMELANDS (FOLLOWING
VISITS IN FEBRUARY AND JUNE 2006)**

The Australian Government wants to work with you and with the Northern Territory Government so that you have a better life and can build a good future for your children.

When we met in February and again in June this year we were told about the things that are important at Galiwin'ku.

Your leaders told us that you want more houses – many more houses. Now, there are too many people living together in the same house, and that causes problems.

Some people want to buy their own house, but they can't now.

There needs to be more jobs – real jobs that pay good wages. Some people want to set up their own business.

People are worried about crime and violence and people using too much kava.

People want to feel safe in your homes and in your communities. People are worried that there are no police in Galiwin'ku, and that if trouble happens, no-one will be able to help you.

Kids need to learn to read and write, so that they can get good jobs when they grow up.

People want to be fit and healthy, and get good treatment when sick. You are worried because there is no doctor on Elcho Island right now.

We understand all of those things, and we know that they're important – very important.

We agree that we need to fix the problems. But to do that, we need to do things differently from how they've been done before. We need to make a new start.

New Ways of Doing Things

In the past, different people all did different things, and no-one knew what the other person was doing.

Now, we need to agree at the beginning what needs to be done and who is going to do it. And we need to be ready to help each other if there are problems.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

We want to make it easier for you to work with government.

If you're willing to work hard with us to make a better life for your community, we'll do whatever we can to support you. There are many things the two governments can do to help you, but we want you to play your own part as well. If you sit back and leave everything for governments to fix, then we'll do just what we have to do, but nothing more. We see that as fair, and we hope that you do too.

Sometimes it's not easy to change the things that are bad. We understand that. It will take a lot of time – many years, even – to fix some problems.

But we need to make a start soon, if your kids are going to have a good future. And there are some things we can do pretty quickly to make life better for you right now.

Making a Plan

If we are told you want to go ahead, the first thing we will do is to sit down together and work out a plan. The plan will say what has to be done and who is going to do it.

Everyone will have something to do – the Australian Government, the Northern Territory Government and the people of Galiwin'ku.

First, we'll set up a small group of people to make sure that the things in the plan really happen. The two governments will have people on this group, but there must also be people from the community. And those people will need to talk to the whole community, so that they know what's going on and what people think. We can help with interpreters, and other things.

If we can agree upon a plan we'll ask a good person to go to Galiwin'ku for at least one or two years. That person will live with you, listen to you, work with you, and help to get things done.

What the two Governments will do to help you

The Australian Government already spends a lot of money to help the people of Galiwin'ku and the Marthakal Homelands – altogether, more than \$25 million every year. But we are willing to spend even more than this in the future, so long as you will work with us to make a better life for your community.

Help from the Australian Government

As part of the plan for your community, the Australian Government will do these things to help you:

- Pay for up to 50 new houses in Galiwin'ku township, with building to start after the next wet season.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

- Train local people and pay them to build the new houses and fix broken houses.
- Help local people to set up new businesses and get real jobs.
- Offer lots more CDEP places (but no more sit down money).
- Pay for more land and sea rangers and jobs with NORFORCE.
- Pay for the writing of a Yolngu dictionary, to help keep your language alive for your children and make it easier for us to talk to each other.
- Help people to buy their own house if they want to by allowing them to borrow money at a low interest rate and by offering houses at low prices to good renters.
- Support young people in Galiwin'ku to stay at school, feel good about themselves and become responsible members of your community.
- Work with the NT Government to improve health services, especially for the homelands, and to deal with the problems of kava and other substance abuse.

Help from the Northern Territory Government

We are asking the Northern Territory Government about extra things that it could do to help you. We would want them to agree to:

- Make sure there are enough good teachers, classrooms and equipment at your school.
- Tell parents how their children are going at school, and work with them to fix any problems.
- Help make Galiwin'ku a safe community, like any other big town in the NT.
- Set up a police station in the township.
- Provide good health services, just like in other big towns.
- Help pay for clearing the land and servicing the new house blocks, so that building can start.
- Make sure that people get good services (like electricity, water and sewerage), just like in other places.

What we'd like the people of Galiwin'ku to do

As part of the plan for the community, we will ask the people of Galiwin'ku to:

- Work with us, and help us to understand your hopes and ideas.
- Allow people to own their own homes
- Say no to drugs and violence.
- Look after children well, and keep them healthy.
- Get kids to school every day and help them with their homework.
- Make sure that money from government is spent properly.
- Look after houses and pay rent.
- Help pay for things like electricity, water and rubbish collection, just like people do in other big towns.
- Keep Galiwin'ku and the homelands clean and tidy – somewhere you'd like to welcome visitors.
- Respect the law

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Negotiating a Headlease over Galiwin'ku

The Australian Government is changing the Northern Territory Land Rights Act to make it easier for indigenous people to get leases to own their own home and to develop businesses in townships on Aboriginal land like Galiwin'ku.

Under the scheme, traditional owners can make an agreement with the Australian and Territory Governments to lease the township. That agreement is known as a headlease. It will be for 99 years and traditional owners will be able to receive annual rental payments in return for the headlease.

A body will be set up by the Northern Territory Government to hold that headlease. That body can then make agreements to lease smaller parts of the township to individual residents who want to own their own home, to community housing associations, to individuals who want to establish businesses and to government agencies. Those agreements are called sub-leases, and people taking out a sub-lease will have to pay rent.

A headlease does not mean that the traditional owners of Galiwin'ku are giving up their land, as the underlying freehold title will still be owned by them.

We think that a headlease is vitally important if we are going to be able to achieve a better life for you at Galiwin'ku and we want this to be part of any plan that we agree to. A headlease will make it easier for people to buy their own houses if they want to, and to build their savings through home ownership. In turn, that will help their children to have better lives in the future.

We promise to talk more with traditional owners, the Northern Land Council and the community about this.

Marthakal Homelands

About 450 people live in the Marthakal Homelands, away from Galiwin'ku township. There are many reasons why people choose to live in the Homelands, and that's something for them to decide.

Governments already spend a lot of money to help people living in the Marthakal Homelands. That will not change. But wherever you live, whether in town or in the Homelands, there are some things we'll expect you to do – like making sure that your kids are well looked after and get proper schooling.

We know that people living in the Homelands face some different problems from people living in Galiwin'ku itself. We will be happy to meet with the Marthakal Homelands Association and traditional owners to talk about a special plan for the Homelands, if you'd like, or they can be part of a single plan for Galiwin'ku and the homelands. The rules would be the same:

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

- (1) Let's work together, on an agreed plan.
- (2) We're willing to do more to help you, so long as you're willing to do more to help yourselves.

Looking Ahead

We're very excited about this, and hope that you are too. You will be the first community in Australia where we will try this new way of doing things.

We understand the problems that you've told us about and want to help you to fix them, working closely with the Northern Territory Government as well. We know that you are proud of Galiwin'ku already, but if we all work together on this, we can make it an even better place to live.

We hope that you will want to help us too. We look forward to hearing from you, and are keen to talk with you again soon.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 090

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

How have you ensured the people really understand the plan and indeed the overall concept of the 99 year lease – for example what interpreters have been used?

Answer:

There is an ongoing communications process that FaCSIA has developed in close liaison with the community. In addition to face to face discussions with every clan group at Galiwin'ku and on outstations carried out by a site manager employed by FaCSIA, educational materials have been developed for the Yolngu radio service. Interpreters have been used frequently, including for all community meetings attended by the Minister.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 091

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

Is it correct that November 30th is now the deadline for the people to make their decision on the 99 year lease?

Answer:

No.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 097

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

What happens to the 50 extra houses if the community finally decide not to sign a 99 year lease?

Answer:

The additional houses are offered as part of the comprehensive package which includes the head lease. If the community decides not to participate in leasing arrangements, it will continue to receive housing funding through normal channels.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 098

Topic: Galiwin'ku Agreement

Hansard Page: Written

Senator Crossin asked:

What happens to other services such as the health centre?

Answer:

All existing services, including the health centre, will continue to operate as normal.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 129

Topic: Aboriginal Hostels Limited (AHL) ante-natal/peri-natal hostels

Hansard Page: Written

Senator Evans asked:

How many AHA hostels are specifically for women from rural or remote areas who need to travel to larger centres/cities for childbirth and ante-natal/peri-natal care?

- (a) Please provide a list of these hostels, including bed numbers in each.
- (b) Please provide data on approx. how many women these hostels service each year.
- (c) Do these hostels charge a per night fee? If so please provide details of the arrangements for each hostel.
- (d) Please provide detailed information on the budgets for each of these hostels, including AHA funding and revenue generated from nightly charges etc.

Answer:

The only hostel operated by Aboriginal Hostels Limited (AHL) that is specifically for women for ante-natal and prenatal care is the Katherine Women's Medical Hostel with a resident capacity of ten beds. However, pre and post natal patients also use other medical and general transient AHL hostels located across Australia. Information relating to the AHL budget is contained in AHL's Annual Report

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 135

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

On July 31, 2006 Mr Greg Andrews provided a written statement to ABC Lateline claiming that: 'I have had to seek the assistance of the police for protection.'
Did Mr Andrews seek this assistance and on what date was this?
Was it subsequently provided? And if so, in what form?

Answer:

On 27 June 2006 the Assistant Secretary, Communities Engagement Branch, Department of Families, Community Services and Indigenous Affairs, having reported to the Investigation Services Branch his concerns for the safety and security of his wife, his son and himself, together with and on the advice of the Director, Investigation Services Branch, reported the same to police. Consequently appropriate protective arrangements were put in place. To reveal the nature of those arrangements would defeat their purpose.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 136

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

When did Mr Greg Andrews become aware the Minister had wrongly claimed he was under police protection, what steps, if any, were taken to notify the Minister's office of the error?

Answer:

The Department of Families, Community Services and Indigenous Affairs is not aware of any such claim.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 137

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

Mr Andrews gave evidence to the Senate Inquiry that Mutitjulu youths were hanging themselves from the church steeple on Sundays and that their mothers were having to cut them down? On what date did these incidents occur?

Answer:

The *Report to Working Group* dated 2 August 2005, relating to July 2005, of the Project Manager of the Mutitjulu *Tjungu Waakaripayi* Project 'Working Together' (A joint initiative of the Aboriginal people of Uluru, the Northern Territory and Australian Governments, Ayers Rock Resort, and the NPY Women's Council) shows that the incident specifically described in the evidence of the Project Manager given on 27 April 2006 (Hansard CA 87) occurred in July 2005.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 187

Topic: Response to Red Tape Evaluation

Hansard Page: Written

Senator Chris Evans asked:

In relation the Report 'A Red Tape Evaluation in Selected Indigenous Communities' by Morgan Disney & Associates Pty Ltd in May 2006:

- (a) Will your department implement the specific recommendations of the review and in what timeline? Has your department formulated a response or action plan? If so, can you please provide a copy.
- (b) Will your reforms apply to your department alone?
- (c) The report referred to a cut in the budget for field visits by Indigenous Co-ordination Centre staff. Can you please provide the field visit budget for each financial year since 2004-05 to the current financial year?
- (d) Please list the ways by which your Department intends to reduce the administrative burden on Indigenous community organisations
- (e) Does your department intend to introduce tri-ennial block funding for rolling programs? If so when?
- (f) What is your Department doing to ensure performance indicators attached to funding agreements are relevant, useful and meaningful and remove those that are not?
- (g) Will you introduce training for Indigenous Co-ordination Centre staff as recommended by the report?

Answer:

The recommendations in the Red Tape report are under active consideration by the Secretaries Group on Indigenous Affairs with a view to implementing Whole-of-Government improvements. Some reforms in this area are already in train.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 035

Topic: Mutitijulu – Person’s criminal record

Hansard Page: CA50

Senator Evans asked:

Please provide the exact date that the investigating unit received the copy of this person’s criminal record and the date it first arrived in the department i.e. Who saw it first?

Answer:

The document arrived in the hands of the Department of Families, Community Services and Indigenous Affairs anonymously, as the Associate Secretary, Department of Families, Community Services and Indigenous Affairs stated (Hansard CA47, CA49). That was on 9 June 2006. The Investigations Services Branch received it on 22 June 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 042

Topic: Mornington Island

Hansard Page: CA56

Senator Heffernan asked:

What percentage of kids go to school and are they primary or high school?

Answer:

Overall 57.1 per cent of children attended school in Term 3 2006, increasing from 51.3 per cent in Term 3 2005. Mornington Island State School teaches from Grade 1 to 10.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 067

Topic: OIPC - ICCs

Hansard Page: Written

Senator Crossin asked:

Could you tell me how many staff are now based in each of the Northern Territory ICCs with a breakdown by department?

Answer:

Each agency is responsible for its own staffing profiles.

The number of FaCSIA staff in the Northern Territory ICCs as at 1 November 2006 is provided in the table below.

**NT ICCs - Actual FaCSIA Staff Numbers
as 1 November 2006**

ICC	Actual Number of FaCSIA Staff
Alice Springs	15
Darwin	11
Katherine	5
Nhulunbuy	9
Tennant Creek	8
TOTAL	48

FaCSIA does not maintain ongoing data to report on staff from other agencies.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 069

Topic: OIPC - ICCs

Hansard Page: Written

Senator Crossin asked:

How many vacancies have been advertised in NT ICC's in 2006? Can you provide this by office?

Answer:

Following the Machinery of Government changes, announced in January 2006, FaCSIA was given formal responsibility for staff in ICCs on 4 May 2006.

From 4 May 2006, there have been 11 positions in NT ICCs advertised.

These positions were in Alice Springs (4), Darwin (3), Katherine (3) and Nhulunbuy (1).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 070

Topic: OIPC - ICCs

Hansard Page: Written

Senator Crossin asked:

- (a) Do you keep records on recruitment to know how many of the NT staff have come into the ICC with little or no experience in Indigenous Affairs? Or is this no longer one of the selection criteria?
- (b) Do you maintain records of recruitment time taken?
- (c) What induction is provided for new staff?
- (d) Is this for ALL new staff, when and how often is it provided? (So if someone joins OIPC do they get inducted before or soon after commencement?)

Answer:

FaCSIA does not keep detailed recruitment records in relation to staff experience in Indigenous Affairs or recruitment time taken. Staff are selected for our ICC positions using position descriptions and selection documentation that include the following criteria:

- demonstrated knowledge and understanding of the issues affecting Indigenous Australians; and/or
- ability to communicate and negotiate sensitively and effectively with Indigenous communities and individuals in carrying out the duties of the position.

FaCSIA has an orientation kit for new staff which is also available on line. These staff are also invited to participate in a workshop held in National Office while local orientation processes are undertaken at the ICC office. The departmental orientation course is available to all staff and is run each month.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 071

Topic: OIPC - ICCs

Hansard Page: Written

Senator Crossin asked:

How many officers have you got acting in positions (at ASO6 or above) above their substantive levels?

Answer:

As at 1 November 2006, there were 16 officers.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 078

Topic: Provision of project funding through auspicing bodies who are responsible for the outcomes in the community.

Hansard Page: Written

Senator Crossin asked:

If you negotiate with a family group then have to get another incorporated organisation to accept the funding and carriage of the project, is this a fit and proper way to organise projects? How does this affect any risk management?

Answer:

Managing the funds and the activities associated with a Shared Responsibility Agreement (SRA) through an incorporated organisation, under the 'General Terms and Conditions for Funding Agreements Relating to Indigenous Programs', is one of a number of fit and proper ways to manage these projects.

Staff in the relevant Indigenous Coordination Centre (ICC) conduct a risk assessment for all agreements and funding proposals and adopt appropriate strategies to manage any risks identified through that process.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 074

Topic: Dhuruputjpi Shared Responsibility Agreement Nhulunbuy Indigenous Coordination Centre.

Hansard Page: Written

Senator Crossin asked:

Can I just ask for updated information for an SRA out of Nhulunbuy ICC —the education, arts and nutrition project at Dhuruputjpi, signed 31st Aug 2005. This was to provide a building renovation to house a School of the Air, and art centre (\$80000 from OIPC) and provide a tractor and tools for gardens (DEWR \$50,000).

Has this project actually progressed at all?

What has been the outcome to date after 14 months? Nothing of any progress is shown at the web site.

Answer:

The project has progressed. A report from the Laynhapuy Homelands Association Inc. on the Shared Responsibility Agreement (SRA) project was received in the Nhulunbuy ICC on 5 December 2006. The report states that the Dhuruputjpi community has successfully established a market garden including the completion of a full boundary fence, a water pipe from the main tank to the garden, and the garden soil turned and prepared ready for planting.

In 2006/07 FaCSIA released funds to the Laynhapuy Homelands Association Inc. for the purchase of materials for the building renovation for the School of the Air and Arts and Craft Centre at the Dhuruputjpi Homeland. On 18 October 2006 the Laynhapuy Homelands Association Inc. advised that the building materials had arrived at Dhuruputjpi.

The original building site was found to be infested with white ants and a new site and plan were developed. A consultant was contracted to negotiate with the community and the plan was revised and re-submitted to the ICC.

Progress has been made on the alternative site for the School of the Air and Arts and Craft Centre. The construction of the cement slab has been completed and on 2 December 2006 the building commenced.

SRA progress is not documented on the website.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 075

Topic: Dhuruputjpi Shared Responsibility Agreement - Nhulunbuy Indigenous Coordination Centre.

Hansard Page: Written

Senator Crossin asked:

How much money has been released and to whom?

Is Dhuruputjpi an incorporated organisation able to receive Commonwealth funds?

If not then why were negotiations held direct with them on this SRA?

Answer:

DEWR released \$40,000 to Laynhapuy Homelands Association Inc. for purchase of the tractor for Dhuruputjpi.

DEWR released \$10,000 to the Laynhapuy Homelands Association Inc. for the garden tools and equipment for Dhuruputjpi.

FaCSIA released \$35,000 to Laynhapuy Homelands Association Inc. for the purchase of materials for the building renovation at the Dhuruputjpi Homeland.

The Dhuruputjpi Homeland community is not incorporated; however the auspicing body, Laynhapuy Homelands Association Inc. is incorporated. It is the usual practice and strongly recommended to fund an incorporated body. It is not a requirement for an organisation to be incorporated to receive Commonwealth funds.

On 16 February 2005 Dhuruputjpi Community Elders Dhukal Wirrpanda, Wuyal Wirrpanda and Galuma Wirrpanda wrote to the Manager of the Nhulunbuy Indigenous Coordination Centre, requesting information about the acquisition of a tractor, mower, shop, garden tools and equipment, School of the Air and art studio.

SRAs are agreements made with communities, in this case the Dhuruputjpi Homeland community, with the Laynhapuy Homelands Association Inc. being the auspicing body used for the release of the SRA funding. Negotiations regarding the SRA projects were therefore held with the Dhuruputjpi Homeland community.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 076

Topic: Dhuruputjpi Shared Responsibility Agreement Nhulunbuy Indigenous Coordination Centre.

Hansard Page: Written

Senator Crossin asked:

Who actually costs this type of project which requires some building work and one supposes some technical knowledge of the building trade?

Does the ICC engage expert advice to cost such projects?

Answer:

Costings for this type of project would normally be completed by people with appropriate technical knowledge/expertise.

An ICC would normally engage expert advice to cost such projects.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 080

Topic: Dhuruputjpi Shared Responsibility Agreement Nhulunbuy Indigenous Coordination Centre.

Hansard Page: Written

Senator Crossin asked:

In the case of Dhuruputjpi has the community complied with its communication part of the agreement and provided regular written reports?

Answer:

Under the terms of the SRA, Laynhapuy Homelands Association Inc. is responsible for written reports regarding the progress of this SRA. Quarterly reports have not been provided regularly. The Laynhapuy Homelands Association Inc. provided a report regarding the progress of this SRA to the Nhulunbuy ICC on 5 December 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 081

Topic: Dhuruputjpi Shared Responsibility Agreement Nhulunbuy Indigenous Coordination Centre.

Hansard Page: Written

Senator Crossin asked:

Was any consideration given to the fact that Indigenous people traditionally rely on verbal communication and not written when negotiating this agreement?

Answer:

The initial contact was a presentation given by the Nhulunbuy ICC manager to the Dhuruputjpi Homeland community on the changes to Indigenous Affairs including Shared Responsibility Agreements. Following this presentation, the Dhuruputjpi Community Elders wrote to the Nhulunbuy ICC requesting assistance with developing an SRA and further information on 16 February 2005.

Subsequently, assistance was provided to develop and implement an appropriate SRA.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 082

Topic: Dhuruputjpi Shared Responsibility Agreement Nhulunbuy Indigenous Coordination Centre.

Hansard Page: Written

Senator Crossin asked:

In the communications feedback mechanisms it was agreed that the ICC would visit regularly – how many visits have been made to Dhuruputjpi since the agreement was signed.

Answer:

Since the signing of the SRA in August 2005, representatives from the Nhulunbuy ICC have visited the Dhuruputjpi Homelands four times. The most recent visit was conducted on 8 December 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 092

Topic: OIPC – Galiwinku Agreement

Hansard Page: Written

Senator Crossin asked:

What absolute safeguards will there be to ensure that the Indigenous people do not lose control of their land? If they agree to a 99 year lease how will they be able to terminate a lease, or a sub lease if they so desire?

Answer:

Sub-sections 19A(1) and (2) of the Act set out the steps that must be followed prior to a head lease being executed in relation to a township. Sub-section 19A(8) provides that a head lease cannot be transferred, except to another approved entity with the approval of the Minister. Sub-section 19A(9) provides that a head lease cannot be used as security for a borrowing. These provisions prevent the sale or mortgaging of head leases. The term of the lease is set as 99 years by sub-section 19A(4) of the Act. A sub-lease would be able to be terminated by the approved entity that holds the head lease in accordance with the terms of the sub lease.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 093

Topic: OIPC – Galiwinku Agreement

Hansard Page: written

Senator Crossin asked:

Is it correct that in signing a head lease, there is no absolute requirement to ensure that the land owner fully understands it – that unless there is “fraud” committed, once signed a lease stands? Is this not a convenient loop hole?

Answer:

Sub-sections 19A(1) and (2) of the Act require that the relevant Land Council be satisfied (among other things) that the traditional Aboriginal owners of the land understand the nature and purpose of the proposed lease prior to a lease being granted. Sub-section 19A(3), which provides that a failure to comply with sub-section 19A(2) of the Act by the Land Council does not invalidate a grant unless procured by fraud, is a standard provision in the same terms as provided for by the long standing sub-section 19(6) in relation to other leases able to be granted in relation to Aboriginal land.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 094

Topic: OIPC – Galiwinku Agreement

Hansard Page: Written

Senator Crossin asked:

After 99 years what guarantee is there of the land reverting back to Indigenous control? And in an undamaged useable state if business has operated on it?

Answer:

The underlying land ownership does not change with the granting of a lease under section 19A. Sub lessees would be required to comply with obligations set out in the sub lease as to maintenance of the area and upon expiry of the lease.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 118

Topic: National Indigenous Council

Hansard Page: Written

Senator Crossin

Did the NIC meeting planned for mid September take place?. Where about was it held?. Is there a list of members who attended?. Are there any reports or minutes available to the committee?

Answer:

The National Indigenous Council (NIC) met on 11, 12 and 13 September 2006 at the Saville Park Suites, Northbourne Avenue, Canberra, ACT as planned.

The following members attended the September meeting –

- Dr Sue Gordon, AM
- Mr Wesley Aird
- Ms Miriam Rose Baumann, AM
- Professor Mary Ann Bin-Sallik
- Mr Joseph Elu
- Dr Sally Goold, OAM
- Dr John Moriarty, AM
- Mr Joe Procter
- Mr Michael White
- Mr Dean Widders

The minutes of the meeting are classified Council-in-Confidence and therefore are not available to the committee. However, the NIC provides a yearly report to Government covering their activities during the calendar year.

The 2005 NIC report is available at
<http://www.atsia.gov.au/NIC/communique/PDFs/ReportCard2005.pdf>

The 2006 NIC report will be available early in 2007.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 124

Topic: Intergovernmental Summit on Family Violence

Hansard Page: Written

Senator Evans asked:

1. What mechanisms (IDCs, etc) have been established to coordinate the implementation of the Commonwealth family violence package announced at the June intergovernmental summit?
2. What is FaCSIA's role/involvement?
3. Will FaCSIA be coordinating the report back to COAG at its next meeting?
4. What are the long term plans for evaluating the success of the measures included in the Commonwealth package?

Answer:

An interdepartmental committee has been established to coordinate the implementation of the Indigenous family violence package.

FaCSIA is responsible for coordinating the overall implementation of the Australian Government's agreed actions. FaCSIA is also responsible for the implementation of several measures within the package.

Yes, FaCSIA will be coordinating a report back to COAG at its next meeting in April 2007.

Each of the Australian Government agencies responsible for implementing initiatives within the package will evaluate the effectiveness of their initiatives. FaCSIA will prepare an overall evaluation of the effectiveness of the four-year package.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 125

Topic: Family Violence – Senior Indigenous Network

Hansard Page: Written

Senator Evans

Regarding the establishment of a Senior Indigenous Network announced at the June Intergovernmental summit:

1. Please provide a brief overview of progress to date on establishing the Network.
2. Have negotiations with states/territories re: establishment of the network commenced? If so, with which states/territories? How far advances are the negotiations?
3. Have any states/territories indicated that they will provide matching funding? If so, which ones and how much?

Answer:

FaCSIA is working with Australian Government agencies to identify programmes that can be utilised or expanded to support the network.

Discussions have commenced with states/territories to identify opportunities to leverage or expand existing Indigenous Networks.

Several states/territories have shown interest in participating in the initiative. Discussions regarding contributions from the states/territories for this initiative and the package as a whole are currently underway.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 126

Topic: Family Violence – Improvement to Governance

Hansard Page: Written

Senator Evans

Regarding the improvements to Corporate Governance announced at the June Intergovernmental Summit:

1. Please provide a brief overview of progress to date on implementing the changes.
2. What funding has been allocated to this initiative?

Answer:

The Department of Finance and Administration is responsible for developing this initiative. The costs associated with this initiative will be met by existing funds.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 127

Topic: Family Violence – Additional resources for police in Indigenous communities

Hansard Page: Written

Senator Evans

Regarding the additional resources for police in Indigenous communities:

1. What are FaCSIA's responsibilities in relation to this measure?
2. What is the exact amount of funding allocated to 'police resources'? Over what time frame? Provide breakdown including allocation for this financial year and outyears.
3. What exactly will the money be able to be used for? Eg just construction of police stations and housings? Is there any allowance for maintenance?
4. How will the distribution between the states and territories be determined? Provide allocation between states and territories.
5. How will the 'very remote' communities to be assisted through this measure be identified?
6. Has any of the money been spent yet?
7. If so, what are the details? Which state/territory, community, how much, what for, etc.?
8. If not, when is the rollout of this funding due to commence?

Answer:

FaCSIA is responsible for developing and implementing this initiative drawing on funding of up to \$40m over four years to be targeted at infrastructure costs, such as building police stations and housing. States and territories will be expected to fund ongoing costs, including the enhanced police presence. The distribution and location of funding will take into consideration proposals put forward by the states and territories, as well as the findings of the Police Review. No funds have been expended to date but expenditure is expected to commence later this financial year.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 128

Topic: Family Violence – review of police resources in Indigenous communities

Hansard Page: Written

Senator Evans

Regarding the review of police resources in Indigenous communities:

1. What resources have been allocated to the Valentin review?
2. Will its findings be made public?

Answer:

Funding is being settled with the Department of Finance and Administration, but is expected to be under \$200,000. The government will make a decision on release following receipt of the report.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 140

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

One of the reasons cited in your correspondence with ORAC is the allegations broadcast on the ABC Lateline programs of June 21. Did you inform ORAC that some of the allegations aired on the program were made by a person working directly for the Department? If not, why not? If so, when and how?

Answer:

There was a reference to a *Lateline* program in one of the communications with the Registrar of Aboriginal Corporations concerning the loss of confidence by the Department of Families, Community Services and Indigenous Affairs in the then Governing Committee of Mutitjulu Community Aboriginal Corporation. For the purposes of those communications it was not necessary to identify any of the individuals who appeared on that program, or to specify the nature of their employment.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 148

Topic: Mutitjulu Community

Hansard Page: Written

Senator Crossin asked:

Did it cover all funding from all departments including Parks Australia?

Answer:

FaCSIA can only provide information on its own funding to Mutitjulu.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 149

Topic: Mutitjulu Community

Hansard Page: Written

Senator Crossin asked:

Did it cover funding from OATSIH and clinic funding?

Answer:

FaCSIA can only provide information on its own funding to Mutitjulu.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 150

Topic: Mutitjulu Community

Hansard Page: Written

Senator Crossin asked:

What were the grounds for stopping funding?

Answer:

The only FaCSIA funding which has been temporarily delayed is funding for the delivery of child care services while the child care centre is being upgraded.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 151

Topic: Mutitjulu Community

Hansard Page: Written

Senator Crossin asked:

Why are full services still not restored to the Mutitjulu community?

Answer:

Essential services such as power, water and sewerage have continued to be delivered through Parks Australia North and have not been affected.

FaCSIA has been working closely with the administrator to re-establish long day care services. The renovations which began to the Mutitjulu Day Care Centre in early 2006 are almost complete.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 293

Topic: Mornington Island

Hansard Page: Written

Senator Evans asked:

In relation to the funding provided to the organisation FOGS at work Ltd:

- (a) List all funding agreements with that organisation, showing the start date, end date, value of the agreement and the location and purpose of the agreement.
- (b) How much funding in total has been provided to that organisation?
- (c) For each funding agreement indicate the date on which the funding was approved.
- (d) For each funding agreement indicate who approved the funding, e.g. the Minister, the Secretary.
- (e) For each funding agreement indicate the process for allocating that funding? E.g. public call for tenders, grants allocation round.
- (f) Have any other organisations received funding through the same process?
- (g) For each funding agreement indicate the programme source of that funding? E.g. Local Answers, Communities for Children.
- (h) Were all funding agreements provided as part of Shared Responsibility Agreements (SRAs)? If so indicate when the SRAs were signed and the nature of the SRAs, e.g. what commitments were given by the community and the Government. Was this funding the only commitment given by the Government through the SRAs, or was there other funding to be provided? If so what other funding was to be provided?
- (i) For each funding agreement indicate the area in the Department responsible for administering that funding?
- (j) Can the Department confirm whether it has met with representatives of FOGS at work Ltd in 2005 or 2006? If so indicate the dates of those meetings and who attended.
- (k) Can the Department confirm whether the Minister or his office has met with representatives of FOGS at work Ltd in 2005 or 2006? If so indicate the dates of those meetings and who attended.

Answers:

FOGS at Work was contracted to provide a 12 month program on Mornington Island that commenced in April 2006. The total cost over 12 months is \$557,500 plus GST of \$55,750.

A Program Funding Agreement (PFA) between the Australian Government and the FOGS was signed on 15 May 2006, for an amount of \$278,750 plus GST of \$27,875. The end date of the funding agreement was 30 June 2006. The purpose of the Agreement was to establish and run a program on Mornington Island, comprising three multi-sport games activity sessions (90 minutes per session) for school students each week and also two hour daily sessions during the school holidays. A second PFA was signed on 4 September 2006, for an amount of \$278,750 plus GST of \$27,875. The

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Activity Period for the Agreement ends on 30 June 2007. Its purpose is to continue the program mentioned above.

A total of \$459,937.50 has been spent on this program to date (\$306,625 in 2005-06 on operating and establishment costs and \$153,312.50 in 2006-07 to date).

Funding for the program was approved on 24 March 2006 by the head of the Performance Group in the Office of Indigenous Policy Coordination.

Funding was allocated following identification of immediate needs on Mornington Island and available services and providers able to meet those needs. In February 2006 the FOGS provided a proposal for a sports-based program for young people on Mornington Island which addressed these needs. Under the FOGS proposal the running of the sports program was subcontracted to Primary After School Sports (PASS), an organisation with the resources, expertise and experience to deliver it.

Funding for this activity was provided from the Shared Responsibility Agreement Implementation Assistance Programme. From time to time funding is provided to organisations or specialist contractors because of their ability to respond to situations and conditions in Indigenous communities quickly. This is based on their ability to provide the services to the standard required, often in relation to an urgent and dire need in a community. Further details on the provision of funding were provided in answers at the Senate Standing Committee on Community Affairs hearing on Thursday 2 November 2006 – reference Hansard Transcript CA56.

The Department of Families, Community Services and Indigenous Affairs, Queensland State Office is responsible for administering the funding to FOGS. The Department meets with representatives of FOGS approximately monthly. Meetings in 2006 were (there were none in 2005):

- 23 March 2006 – Peter Falcongren (OIPC) Gene Miles, Alan Graham (FOGS)
- 8 April 2006 – Peter Falcongren (OIPC) Gene Miles, Alan Graham (FOGS)
- 12 May 2006 – Peter Falcongren (OIPC) Gene Miles, Alan Graham (FOGS)
- 13 June 2006 – Peter Falcongren (OIPC) Gene Miles (FOGS) Brendan Jones (PASS)
- 8 August 2006 – Peter Falcongren (OIPC) Gene Miles (FOGS) Brendan Jones (PASS)
- 15 August 2006 – Peter Falcongren (OIPC) Gene Miles (FOGS) Brendan Jones (PASS)
- 25 September 2006 – Di Hawgood (OIPC) Gene Miles (FOGS)
- 26 October 2006 – Peter Falcongren (OIPC) Gene Miles, Gary Belcher, Debbie Miles (FOGS), Brendan Jones (PASS)
- 1 November 2006 – Peter Falcongren, Di Hawgood (OIPC) Gene Miles (FOGS) Brendan Jones (PASS)
- 27 November 2006 – Di Hawgood, Peter Falcongren (OIPC) Gene Miles (FOGS) Craig Matheson, Steve Renouf (Department of Local Government Planning Sport and Recreation Qld).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

The Minister and his Office have also met with FOGS representatives; the dates and attendees of these meetings are not available.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 095

Topic: OIPC – Galiwinku Agreement

Hansard Page: Written

Senator Crossin asked:

Is there any way that a guaranteed minimum of any leased land can be sub leased only to Indigenous people?

Answer:

It would be open to the Land Trust to negotiate a term of a head lease agreement which would specify the persons to whom sub leases could be issued so long as the head lease complies with sub-sections 19A(14) and (15).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 083

Topic: ICC's NT

Hansard Page: Written

Senator Crossin

In general could I have a list of all visits made by officers from each of the NT ICC's for 2006 to date – broken down by office, community visited, who actually visited and what department they represented, length of visit and date(s).

Answer:

Visits to communities are routine and numerous in each ICC across the Northern Territory. To provide information about every visit to the level of detail that the Senator is seeking would be too resource intensive and cannot be justified in the department's view.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 084

Topic: ICC's NT

Hansard Page: Written

Senator Crossin

How many of these visits incorporated the whole of government approach espoused by government and included officers from across departments or even across levels of Government (that is included both Federal and NT Government officers)?

Answer:

See response to Question No. 083.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group 1.1

Question No: 183

Topic: Declaration on the Rights of Indigenous Peoples

Hansard Page: Written

Senator Evans asked:

Which specific provisions of the Declaration of the Rights on Indigenous Peoples does the Australian Government object to? Please provide reasons for those objections/reservations.

Answer:

Self-Determination Self-determination in the text could be misrepresented as conferring a unilateral right of self-determination and possible secession upon a specific subset of the national populace, thus threatening the political unity, territorial integrity and the stability of existing UN Member States.

Veto Power The Declaration appears to purport to confer upon a sub-national group, a power of veto over the laws of a democratic legislature, thereby giving one group in society rights that take precedence over those of others.

Lands and Resources Provisions on lands and resources in the Declaration ignore the contemporary realities in many countries with Indigenous populations, by appearing to require the recognition of Indigenous rights to lands now lawfully owned by other citizens, both Indigenous and non-Indigenous.

Universality of Human Rights It seems to be assumed that the human rights of all individuals, which are enshrined in international law, are a secondary consideration in the Declaration. One group cannot have human rights that are denied to other groups within the same nation-state.

Redress The provisions for providing redress, even for those few countries that are addressing this imperative, are unworkable and contradictory.

Lack of Definition of “Indigenous Peoples There is no definition of “Indigenous peoples” in the Declaration. The lack of definition or scope of application within the Declaration means that separatist or minority groups, with traditional connections to the territory where they live – in all regions of the globe – could seek to exploit this Declaration to claim the right to self-determination, including exclusive control of their territorial resources.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 024

Topic: ICC Staffing

Hansard Page: CA7

Senator Evans asked:

Please provide a table showing the number of staff by agency in ICC's.

Answer:

Each agency is responsible for its own staffing profiles. FaCSIA does not maintain ongoing data to report on staff from other agencies. The number of FaCSIA staff in each ICC as at 1 November 2006 is provided in the table below.

FaCSIA ICC Actual Staff Numbers as at 1 November 2006	
ICC	Actual Number of FaCSIA Staff
Adelaide	7
Alice Springs	15 ¹
Bourke	3
Brisbane	8
Broome	7
Cairns	20
Ceduna	8
Coffs Harbour	11
Darwin	11
Derby	6
Dubbo	7
Geraldton	9
Kalgoorlie	9
Katherine	5
Kununurra	7
Mt Isa	7
Nhulunbuy	9
Perth	3
Port Augusta	10
Queanbeyan	7

¹ Alice Springs FaCSIA staff numbers do not include the Central Desert Petrol Sniffing Unit

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

FaCSIA ICC Actual Staff Numbers as at 1 November 2006 (cont)	
ICC	Actual Number of FaCSIA Staff
Rockhampton	8
Roma	8
South Hedland	4
Sydney	8
Tamworth	7
Tasmania	10
Tennant Creek	8
Townsville	5
Wagga Wagga	10
Victoria	6
TOTAL as at 1 November 2006	228

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

.... Question No: 028

Topic: SRA Reviews

Hansard Page: CA15

Senator Crossin asked:

Can you provide a list of the 28 SRA's that you have reviewed/provide and the list of the 50 that you expect to do?

Answer:

The following table contains details of the 28 SRAs that the Department reviewed in 2006:

Agreement Title	Community	State
Connecting youth to education	Narrandera	NSW
Hot Wheels	Muswellbrook	NSW
Bila Park Cultural Heritage Project	Tumut	NSW
Better facilities for the neighbourhood centre	Barkuma (Kurri Kurri)	NSW
Young women go to summer school.	NPY Women's Council	NT
Better food, better living	Bonya	NT
Developing a mud crab business	Kulaluk	NT
Working towards self sufficiency	Emu Point	NT
Building the community	Barrow Creek	NT
Better health and education	Wilora	NT
A safer community through Elders	Tennant Creek	NT
Building community capacity	Gapuwiyak	NT

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Agreement Title	Community	State
Keeping young people healthy and active	Palmerston Indigenous Village	NT
Community centre and internet cafe	Alpurrurulam	NT
New community store	Minjilang	NT
Traditional owners plan for the future	Girringun	QLD
Building the community	Doomadgee	QLD
The Baddagun Performers	Innisfail	QLD
Leadership skills for young people	Aroona	SA
Getting kids back to school	Cooper Pedy	SA
A safer community	Yalata	SA
Building a sense of community	Bayulu	WA
Men's Service	Derby	WA
Strengthening families-family and community safety	Derby	WA
A bush museum	Kooljaman Resort at Cape Leveque	WA
Health and hygiene facilities	Yungngora	WA
Improving sport and recreation	Kupartiya	WA
Sporting activities	Bidyadanga	WA

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

The list below contains the details of the 51 SRAs that the Department is expected to have reviewed by the end of March 2007:

Agreement Title	Community	State
Community facilities	Malalbugilmah	NSW
Family Court	Several communities in the Many Rivers region	NSW
Market Garden	Baryulgil	NSW
Extension of the CDF	La Perouse	NSW
Boggabilla Bus	Boggabilla	NSW
Upgrading Community Centre	Coledale	NSW
Sport and community activities and upgrade of oval	Dubbo	NSW
Harmony Day and Development of Action Plan	Wellington	NSW
Hume School cultural facility	Albury	NSW
Removing transport barriers	Bathurst	NSW
Renal Patients	Western Desert Nganampa Walytja Palyantjaku Tjutaku (WDNWPT)	NT
Bus and Oval	Areyonga	NT
Larrakia Tank Art	Larrakia Nation	NT
Community Development	Bagot	NT
Indigenous Education Workers	Warruwi	NT
Mamaruni School	Minjilang	NT
Tourism Venture	Manyallaluk	NT
School Holiday Program	Banatjarl	NT
Facilities to Provide Better Education and Arts and Improve Nutrition	Dhuruputjpi	NT
ALPA Nutrition	Arnhem Land Communities	NT
Improving school attendance	Tara	NT

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Agreement Title	Community	State
Maintain Language, culture, tradition	Mungkarta	NT
Support for young people	Tennant Creek	NT
Establishing cattle yards	Hatches Creek	NT
Improving economic opportunities	Mossman Gorge	QLD
More resources for Burketown State School	Burketown	QLD
Planning a Brighter Future	Woorabinda	QLD
Strengthening Culture	K'gari	QLD
Yumba historical preservation	Mitchell	QLD
Giving young people a future	Sarina	QLD
Horse care and management	Palm Island	QLD
New scout troop for kids	Yalata	SA
Helping students stay at school and take part in further education	Port Augusta / Davenport Communities	SA
Swimming pool	Bidyadanga	WA
Recreation and cultural facilities	Wangkatjungka	WA
Recreation facilities	Ngumpan	WA
Facilities for young people	Eight Mile WA	WA
Junjar Mudar Mia	Meekatharra	WA
Sport and recreational activities for young people	Ninga Mia	WA
Improving health and feral animals	Coonana	WA
Wanarn store	Wanarn	WA
Education and Training of Young People	Warburton	WA
Municipal Services	Ngaanyatjarra	WA
Stronger families through Bluelight	Laverton	WA
Facilities for families at the local pool	Wiluna	WA

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Agreement Title	Community	State
Governance	Kalumburu	WA
Breakfast club	Kalumburu	WA
Education and Training	Gelganyem	WA
Swimming pool	Warmun	WA
Developing an agricultural enterprise	Marta Marta	WA
Farming for food & clean community	Punju Njamal	WA
Early childhood education	Youngaleena	WA

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 037

Topic: Mutitjulu Administrator

Hansard Reference: CA 52 & 53

Senator Siewert asked:

In terms of the proportion of money flowing through the administration, what is that as a percentage of the past total council budget in 05/06 before the administration was in place?

Answer:

The Administrator was appointed to the Mutitjulu Community Aboriginal Corporation (MCAC) in July 2006. In the first six months of this financial year, the total FaCSIA funding made available to the Community amounted to approximately half the amount that was made available to MCAC in the twelve months up to July 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 38

Topic: Mutitjulu Administrator

Hansard Reference: CA 53

Senator Siewert asked:

What services funding is currently being provided for by the Mutitjulu administrators?

Answer:

Current FaCSIA funds approved for distribution by the Mutitjulu Administrator include:

Municipal Services Funds (MUNS)	\$185,000
FaCSIA childcare will be available on completion of the renovations to the childcare centre (anticipated completion February 2007)	\$130,200
FaCSIA (for youth and recreation)	\$7,645
National Aboriginal Health Services (NAHS) for a street lighting project	\$120,000

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 146

Topic: Mutitjulu Community

Hansard Page: Written

Senator Crossin asked:

What federal government funds flowed into the community last year for the corresponding period by program, description of that program and funding amount?

Answer:

Funding from the Department of Families, Community Services and Indigenous Affairs to the Mutitjulu community for the corresponding period was as follows:

- \$73,774 for the Long Day Care Service and \$36,136 for the Outside School Hours Care Service (including Vacation Care) under the Child Care Support Program; and
- \$190,844 under the Municipal Services Program element of the Community Housing and Infrastructure Program.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 147

Topic: Mutitjulu Community

Hansard Page: Written

Senator Crossin asked:

Is the federal government withholding money from the community despite assurances from the minister that funds would flow once an administrator was appointed?

Answer:

FaCSIA is not withholding money.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 033

Topic: Greg Andrews - Lateline

Hansard Page: CA38

Senator Evans asked:

When did Mr Andrews become employed by OIPC?

Answer:

27 February 2006, as the Associate Secretary stated on 2 November 2006 (*Hansard* CA64)

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 139

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

In July, a letter was written to the Office of the Registrar of Aboriginal Corporations requesting that the Mutitjulu Community Aboriginal Corporation be placed under administration? What were the reasons specified in the letter? Please supply a copy.

Answer:

There was no such letter. Correspondence was by private email between the department and ORAC who are charged to consider any issues relevant to their considerations regarding governance of indigenous corporations. The emails were provided as part of the Court process and the Federal Court upheld the Registrar's decision to appoint an administrator. However, as the matter is now subject to appeal, it is not appropriate for the department to canvass these issues further.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 068

Topic: OIPC - ICCs

Hansard Page: Written

Senator Crossin asked:

How many vacant positions are there in each NT ICC with a breakdown by position name (eg Solution Broker), level and department?

Answer:

Each agency is responsible for its own staffing profiles. FacSIA does not maintain ongoing data to report on staff from other agencies.

The table below shows the actual positions vacant in Northern Territory ICCs for FaCSIA as at 1 November 2006.

NT ICCs - Actual Vacancies as at 1 November 2006		
ICCs	Vacant level	Position title
Alice Springs	APS 6	SRA Development/Program Officer
	APS 3	Administrative Support Officer
Darwin	APS 6	Senior SRA Development Officer
Katherine	APS 6	Senior SRA Development Officer
	APS 5	SRA Development Officer
	APS 5	Project Officer
	APS 4	Corporate Service Officer
Nhulunbuy	APS 6	Program Manager
	APS 3	Administrative Officer
Tennant Creek	Nil	
TOTAL	9	

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.1

Question No: 122

Topic: National Indigenous Council

Hansard Page: Written

Senator Crossin asked:

Has OIPC had any discussions or made any recommendations to Government about setting up a better selected and representative Indigenous body?

Answer:

The Department does not comment on advice provided to the Minister but rejects the implication of the question that the membership of the National Indigenous Council is inappropriate.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 109

Topic: Outback Stores Initiative

Hansard Page: Written

Senator Crossin asked:

Could you tell me if the community store at Beswick Community (Wugularr) in the Northern Territory, is one of those on this program?

Answer:

Indigenous Business Australia (IBA) manages the Outback Stores Program. FaCSIA has been advised that the Wugularr Community Store is not part of the Outback Stores initiative at this stage.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 060

Topic: Indigenous Housing Funding Release Processes

Hansard Page: Written

Senator Carr asked:

I understand that the NT Minister, Mr McAdam, has written to the Minister recommending that the Commonwealth review the current funding release processes with a view to improving efficiency.

- a) Has the Minister asked the Department to take any action in response to this request?
- b) If not, has the Department initiated any action to respond to Mr McAdam's concerns?
- c) Has the Minister responded to Mr McAdam? If so, please provide a copy of the response.

Answer:

The current process was agreed bilaterally in December 2005 and Ministerial approval of annual operational plans is also required by legislation for the Aboriginal Rental Housing Programme funds under the Commonwealth State Housing Agreement. The Government supports continuation of this approach and Mr McAdam has been advised accordingly.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.... Question No: 061

Topic: Indigenous Housing

Hansard Page: Written

Senator Carr asked:

I understand that Minister Brough wrote to each State and Territory Minister in early August seeking their advice on Indigenous housing need in their jurisdictions and also the amount of new investment each government would be willing to provide. This letter was a follow-up from the 16 June meeting and its aim was to assist the Minister in “determining the level of funding required for Indigenous housing”.

- (a) Have all the States and Territories now responded to this request?
- (b) What are the responses indicating about the level of funding required for Indigenous housing?
- (c) Did these responses form the basis for the Commonwealth’s position on removing the reference to housing need of 18,000 dwellings by 2009 in the outcomes of the Housing Ministers Conference on 29 September?
- (d) On what basis was this estimate rejected?
- (e) Does the Commonwealth have an alternative estimate of Indigenous social housing need?
- (f) Did the Department do any work to estimate what it would cost to increase the social housing stock for Indigenous housing by 18,000 by 2009? If so, what was that estimate?

Answer:

The Australian Government is currently working closely on a bilateral basis with state and territory governments to clearly identify the need for Indigenous-specific housing. This will form the basis of a revised estimate of housing needs for Indigenous people. The department has not done any specific costings beyond those done by the Housing Ministers’ Advisory Council’s Standing Committee on Indigenous Housing.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.... Question No: 062

Topic: Indigenous Housing

Hansard Page: Written

Senator Evans asked:

On 2 September, the Weekend Australian reported on a speech given by Minister Brough at the Bennelong Society.

- a) That speech does not appear on either the Minister's website or the Bennelong website. Can the Department provide a copy of the speech? If so, please do.
- b) The article indicates that Mr Brough said States and Territories had been unable to answer a request from his Department asking how funds for Indigenous housing were spent. When was the letter sent to the States and Territories?
- c) Please provide a copy of the letter referred to in (b)

Answer:

The Minister wrote to the states and territories on 19 July 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.... Question No: 063

Topic: Indigenous Housing and Infrastructure

Hansard Page: Written

Senator Carr asked:

On the World Today on 4 September, Minister Brough said that he had written twice to the States and Territories and had asked for “over the last three years”, each house that has been demolished, each house that has been upgraded and each house that has been purchased, how much we paid for that and who is the legal owner.

- (a) Is that an accurate description of what the states and territories were asked for?
- (b) Have each of the states and territories now responded? If not which states have responded and which have not?

Answer:

Yes to both questions.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 110

Topic: Outback Stores Initiative

Hansard Page: Written

Senator Crossin asked:

Could you further confirm or deny that they have made a very substantial loss which the community is now being asked to repay?

Answer:

As noted in the response to Q109, Wugularr store is not part of the Outback Stores initiative. However, the Wugularr store is one of a number in the region to be assisted through work undertaken by the Fred Hollows Foundation on governance training, nutrition and stores operation.

FaCSIA does not collect information on the financial operation of community stores and is unable to provide information on the financial circumstances of any store.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.....Question No: 56

Topic: Municipal Services

Hansard Page: Written

Senator Siewert asked:

I understand that FaCSIA announced in mid-October that it would cut funding to the Davenport Community Council (DCC) from December 31 2006.

- (a) Is this correct?
- (b) On what basis was this decision made?
- (c) What consultation process was undertaken?
- (d) What evaluation was done of the operations of the DCC?
- (e) Was DCC ever notified that FaCSIA had concerns about its performance?
- (f) Was the move against DCC a departmental decision or a ministerial directive?
- (g) Why was the change to be implemented in the middle of the current financial year?
- (h) Why wasn't there a phase-out or hand-over process?

Answer:

Funding to the Davenport Community Council did not cease on 31 December 2006. The department met with representatives from both the Davenport Community Council and the Port Augusta City Council on 27 March 2006 to discuss changes to municipal services delivery arrangements; the department has kept Davenport Community Council informed of all developments since then.

The department has been working with Davenport and the Port Augusta City Council to analyse what type of services are provided through CHIP municipal services funding into the future, including any necessary transition plan for the delivery of services to the community. The Port Augusta Council has assumed responsibility for weekly rubbish collection, which commenced on 1 January 2007

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.....Question No: 57

Topic: Municipal Services

Hansard Page: Written

Senator Siewert asked:

Davenport Community Council has set up a number of successful initiatives, including the Wami Kata aged care facility, the Lakeview Accommodation Centre, and the Bangara CDEP program.

- (a) Will the Wami Kata aged care facility receive ongoing assistance?
- (b) Will the Lakeview Accommodation Centre receive ongoing assistance?
- (c) Has there been an evaluation of these facilities?

Answer:

These services are not funded by FaCSIA. The Department of Health and Ageing and the South Australian Government are responsible for any evaluation activities and future funding relating to the Wami Kata aged care facility and the Lakeview Accommodation Centre respectively.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 163

Topic: Municipal Funding - Davenport

Hansard Page: Written

Senator Evans asked:

Can you confirm that municipal service funding to the Davenport Community Council will cease at the end of December 2006 and transfer to the Port Augusta Council?

Answer:

See response to Question No. 56.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 164

Topic: Municipal Funding - Davenport

Hansard Page: Written

Senator Evans asked:

On what date did your department notify the Davenport Community Council that their funding would cease at the end of December?

Answer:

See response to Question No. 56. A letter was sent to Davenport Community Council on 25 July 2006 outlining the changes to funding provisions and a subsequent letter was sent on 5 September 2006 to confirm these changes.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 166

Topic: Municipal Funding

Hansard Page: Written

Senator Evans asked:

On what date did your department first consult with the Davenport Community Council in regards to the new arrangement? How many consultations/ meetings were there prior to the announcement? Please list the dates of the consultations/ meetings.

Answer:

See response to Question No. 56. Since the first meeting on 27 March 2006, there were nine subsequent items of correspondence or discussion with the Davenport Community Council: 25 July 2006; 29 August 2006; 11 September 2006; 16 October 2006; 23 October 2006; 30 October 2006; 1 November 2006; 2 November 2006; and 8 November 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 167

Topic: Municipal Funding

Hansard Page: Written

Senator Evans asked:

On what date did your department first consult with the Port August Council in regards to the new arrangement? How many consultations/ meetings were there prior to the announcement? Please list the dates of the consultations/ meetings.

Answer:

The department first met with Port Augusta City Council representatives on 27 March 2006. Since the there have been four meetings about the issue: 27 March 2006, 11 September 2006, 16 October 2006, 2 November 2006 and 6 December 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 168

Topic: Municipal Funding

Hansard Page: Written

Senator Evans asked:

Does your department need consent from the Port Augusta Council in order to proceed with the new arrangement or can it compel the authority to assume responsibility for Davenport?

Answer:

The Port Augusta Council has expressed support for the changes.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 170

Topic: Municipal Funding

Hansard Page: Written

Senator Evans asked:

What is your department doing to ensure the continued operation of services like the Wami Kata aged care facility and the Lakeview Accommodation Centre, both of which rely in part on assistance from Davenport Community Council?

Answer:

These services are funded by other agencies. It is understood that relevant funding bodies are being engaged about the ongoing funding of these services.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 173

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

To date how many Indigenous organisations have lost Municipal Services (MS) funding in the 2006-07 financial year?

Please list these organisations by state and territory, specifying for each:

- (a) The community(s) they serviced
- (b) The name of the local government or organisation that has taken over municipal services for that community
- (c) The date their MS funding ceased
- (d) The date that the MS funding transferred to the new body

Answer:

Details of organisations that received municipal services funding in FY 2005-06 but not in FY 2006-07 are at **Attachment A**.

Please list all Branches/Offices/Consulted:

Queensland, Western Australian FaCSIA, South Australia and Northern Territory State Offices

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Organisation	State/Territory	a. Community Serviced	b. Local Government Authority/ Organisation that took over	c. Date MS funding ceased	Date MS funding transferred to new body
Gumatj Association Incorporated	Northern Territory	4 outstations – Nhulunbuy Region: Birany Biran, Dhaliwuy Bay, Dhalinbuy and Dhanaya	Marngarr CGC	1 July 2006	1 July 2006
Gurungu Council Aboriginal Corporation	Northern Territory	2 town camps and outstations – Tennant Creek Region: North Camp, South Camp, Murranyi, Powell Creek (Jangirulu), Jingaloo and Marlinja	Elliot DCGC	1 July 2006	1 July 2006
Imanpa Community Council	Northern Territory	1 outstation – not permanently occupied (Angus Downs)	n/a	1 July 2006	1 July 2006
Jibulwanagu Outstation Resources Association Aboriginal Corporation	Northern Territory	Croker Island - Adjamarrugu, Alamirra, Argamurrurr, Marramarrani, Sandy Bay, Wanagutja Goulburn Islands - Amatjitpalk, Injilitparri, Ngijpin, Wigu Mainland - Araru, Buni- Inwunbuluk (Annesley Point), Gumeragi, Irgul, Mariah, Wauk, Wilgi	Demed Association took over regional service delivery.	1 July 2006	1 July 2006
Nyangatjatjara Aboriginal Corporation	Northern Territory	Ipula (Alice Spring Region)	Ipurla AC	1 July 2006	1 July 2006
Alpurrurulam Community Government Council	Northern Territory	Lake Nash	n/a	1 July 2006	n/a
Goreta Aboriginal Corporation	South Australia	Goreta	n/a	1 July 2006	n/a

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Iragul Aboriginal Corporation	Western Australia	Iragul	n/a	1 July 2006	n/a
Lamboogunian Aboriginal Corporation	Western Australia	Lamboogunian	n/a	1 July 2006	n/a
Lombadina Aboriginal Corporation	Western Australia	Lombadina	Funding was merged with Djarindjin community	1 July 2006	1 July 2006
Bunuba Inc	Western Australia	Bunuba	n/a	1 July 2006	
CCIT Aboriginal Service	Western Australia	Upurl-Upurlila Ngurratja and Paupiyala Tjarrutja	Upurl-Upurlila Ngurratja and Paupiyala Tjarrutja organisations	1 July 2006	1 July 2006
Pilbara Meta Maya Regional Aboriginal Corporation	Western Australia	Pilbara Meta Maya	n/a	1 July 2006	n/a
Winun Ngari Aboriginal Corporation	Western Australia	Winun Ngari	n/a	1 July 2006	n/a
Napranam Aboriginal Council (NAC)	Queensland	Weipa	n/a	1 July 2006	n/a
Palm Island Aboriginal Council (PIAC)	Queensland	Palm Island	n/a	1 July 2006	n/a
The Mougibi Housing Co-Operative Society Limited (TMHCSL)	Queensland	Burketown	n/a	1 July 2006	n/a
Wujal Wujal Aboriginal Council (WWAC)	Queensland	Cooktown	A request for funding is under consideration	1 July 2006	n/a

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 174

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

How many Indigenous organisations have been notified that they will lose Municipal Services (MS) funding in the 2006-07 financial year?

Please list these organisations by state and territory, specifying for each:

- (a) The community(s) they serviced
- (b) The name of the local government or organisation that has taken over municipal services for that community
- (c) The date their MS funding ceased
- (d) The date that the MS funding transferred to the new body

Answer:

The organisations listed in the response to Question 173 are the same organisations that have been notified their funding will cease during the 2006-07 financial year.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 177

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Where municipal service delivery in Indigenous communities is transferred to local government authorities, will your Municipal Services funding be transferred to that authority to administer? Does your department intend that such funding continue in the longer term?

Answer:

Appropriate funding will be provided to the local government authorities, with details negotiated in each case.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 178

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Has your department developed a timeline or schedule for the implementation of these new arrangements?

Answer:

Implementation is expected to occur in line with the transfer of responsibility for municipal services to state and territory governments under the current Indigenous Housing and Infrastructure Agreements (which in most cases is by 1 July 2008).

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 179

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Has your department developed and/or disseminated any public information about these new arrangements to the relevant communities? Please provide details.

Answer:

The department has been in regular contact with the affected communities, Local Government Authorities, State Government agencies and other affected stakeholders. Community workshops and cross-agency committees have been held in several locations to discuss the changes.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.... Question No: 180

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Does your department consult and consider the views of the relevant community council and local government authority in regards to the proposed arrangement?

Answer:

The department consults and considers the views of the relevant community council and local government authority.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.... Question No: 182

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

What will happen to Indigenous communities that do not fall within the boundaries of a local government authority? Will the municipal services funding of these community councils remain in tact or will it be transferred to another organisation or authority?

Answer:

Where a community is not serviced by a Local Government Authority, the department will continue to work with communities to ensure an appropriate level of municipal services is provided.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 184

Topic: Native Title Representative Bodies

Hansard Page: Written

Senator Evans:

In relation to the review into Native Title Representative Bodies (NTRBs) that was being carried out by the Office of Indigenous Policy Co-ordination (OIPC) as part of the broader native title review announced by the Attorney-General in September 2005:

- (a) When did OIPC begin this review?
- (b) What elements of NTRBs are being reviewed?
- (c) Please provide a list of all parties who have been consulted and the dates of those consultations?
- (d) When will the outcomes of the review be announced?
- (e) Will there be an opportunity to comment on OIPC's plans before the native title amendment bill is introduced?
- (f) Is it still intended that amendments to the Native Title Act in relation to NTRBs will be introduced this year?
- (g) During senate estimates on 31 October 2006, officials from the Attorney-Generals Department stated that there were "time pressures" in relation to the NTRB reforms. What are those time pressures?
- (h) Has your department discussed these proposed reforms with the Attorney-Generals department? If so, what was the purpose of these discussions?
- (i) Has there been any discussion or proposal within OIPC in relation to introducing an open tender process for NTRBs?
- (j) Has the idea of an open tender process for NTRBs been discussed with any stakeholders? If so, please provide the name of the stakeholder and the date of the consultation.
- (k) Will OIPC be implementing the recommendations of the recent Parliamentary Inquiry into NTRBs in these reforms? When will OIPC provide a formal response to those recommendations?
- (l) Does OIPC intend to increase operational funding for NTRBs? If so, when? If there is a freeze on operation funding, when will that freeze cease?

Answer:

The reforms to NTRBs were developed in the light of experience of NTRB performance over the years the program has been funded; there was no specific separate review. Information sessions on the reforms were conducted for the following parties, and their views were invited:

- NTRB Chief Executive Officers (CEOs) - 23 November 2005, 15 March 2006, 22 November 2006;
- NTRB Senior Professional Officers - 15 March 2006, 20 September 2006;

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

- NTRB field officers - 3 May 2006;
- State and Territory Ministers - 25 November 2005;
- State and Territory officials - 13 and 14 March 2006;
- National Farmers' Federation - 20 January 2006;
- Minerals Council of Australia - 20 January 2006;
- Aboriginal and Torres Strait Islander Social Justice Commissioner - 20 January 2006.

On 7 September 2005 the Attorney-General announced the overall package of native title reforms; and on 23 November 2005, the then Minister for Immigration and Multicultural and Indigenous Affairs announced details of that part of the package affecting NTRBs.

Information on the reforms has been available on OIPC's website www.oipc.gov.au/NTRB_Reforms and comments were invited. A Bill including amendments to the *Native Title Act* in relation to NTRBs was introduced last December and the reforms are planned to begin on 1 July 2007.

The NTRB reforms have been discussed with the Attorney-General's Department in the context of the Attorney-General's role in coordinating the overall package of reforms to the Native Title system.

It is not appropriate to comment on policy advice to the Minister. Response to the report of the Parliamentary Joint Committee on Native Title and the Aboriginal and Torres Strait Islander Land Fund is a matter for the Government.

The Government commissioned a review of the funding and operations of the native title system (including NTRBs) in 2004, as additional funds agreed for the system in 2001 were due to lapse in 2005, at the end of the four year funding cycle. In the 2005-06 Budget the Government agreed to extend the additional funding provided to the native title system in 2001-02, committing an additional \$72.9 million to the native title system over the four years to 2008-09. Of this amount, \$15.6 million was allocated for NTRB capacity building and strategic litigation initiatives. The level of funding provided for the operation of the native title system will be reviewed again in 2008, unless circumstances arise that warrant an earlier consideration of the matter.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 186

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Pukatja (or Ernabella) is one of the largest Aboriginal communities on Anangu Pitjantjatjara Yunkatjatjarra lands with 500 people. It is located 450 km from Alice Springs.

(d) Can you please confirm that municipal services funding was transferred from Pukatja Community Council to Anangu-Pitjantjatjarra Services (based in Alice Springs) in August 2001?

(e) What was the reason for this transfer?

(c) How are the municipal services co-ordinated and delivered given the distance between Alice Springs and Pukatja?

(d) Does Anangu-Pitjantjatjarra employ local people from Pukatja in the delivery of these services? Please provide details.

(e) What measures or requirements does your department have in place to facilitate capacity development in the Pukatja community?

Answer:

Pukatja Community Inc was not directly funded for municipal services in 2005-06, because of concerns about the organisation's capacity to effectively manage the function. An alternate service provider, Ninti Corporate Services P/L was funded to deliver Municipal Services to the community as an interim measure while longer-term arrangements could be put in place. Pukatja Community Inc supported this arrangement.

While the administration office for Anangu-Pitjantjatjarra Services is based in Alice Springs, it has an operational presence on the APY Lands, with an office located at Umuwa. Anangu-Pitjantjatjarra Services is currently funded as the Homelands Resource Agency for the APY Lands as well as for the management of municipal services delivery to the Kalka community.

Anangu-Pitjantjatjarra Services is endeavouring to utilise the local CDEP organisation, as well as working with Pukatja Community Inc to maximise employment and capacity development opportunities for the local Indigenous people in Pukatja.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 294

Topic: Sub-contracting delivery of services under a funding agreement.

Hansard Page: Written

Senator Evans asked:

Under the current arrangements is it possible for an organisation to sign up to a funding agreement and then contract another organisation to actually deliver the services? That is, can an organisation effectively broker or sub-contract out the delivery of the services required under the funding agreement?

- (a) Is the organisation with the funding agreement with FACSIA required to inform the Department when it enters into such arrangements?
- (b) Under the current arrangements is an organisation able to retain some of the funding provided through the funding agreement, while contracting another organisation to actually deliver the services? For example, could an organisation receive a \$200,000 grant to provide support services for parents in a region, contract another organisation to provide those services for \$150,000 and retain the remaining \$50,000?
- (c) Can the Department list all organisations with a funding agreement in 2005-06 who did contract another organisation to deliver the services/goods required under the funding agreement?

Answer:

Yes, The Program Funding Agreement contains clauses which require Departmental approval of sub-contracting arrangements and stipulate procurement requirements for funding recipients.

Funding recipients can sub-contract the delivery of services under funding agreements, for example to access additional expertise to deliver aspects of the funding deliverables. In assessing the funding proposals delegates consider the proposed method of service delivery, including sub-contracting arrangements and approve the proposal and funding on that basis.

Production of a split between contracted services and in-house services supplied by funding recipients is not readily available without significant human resource costs to the Department which the Minister is not prepared to commit.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 175

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Can you confirm your department's plan to transfer municipal service delivery from Indigenous community councils to Local Government Authorities where the Indigenous community falls within that authority's boundaries?

Answer:

It is the responsibility of local government to provide municipal services to the residents within their community, including Indigenous residents. The department is working with Indigenous community organisations and local government to ensure Indigenous residents have equitable access to mainstream services.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 165

Topic: Municipal Funding - Davenport

Hansard Page: Written

Senator Evans asked:

On what date did your department notify the Port Augusta Council that it would assume responsibility for municipal service delivery for Davenport?

Answer:

The department first met with representatives from both the Davenport Community Council and the Port Augusta City Council on 27 March 2006 to notify them of proposed changes to municipal services delivery arrangements. A subsequent meeting was held with Port Augusta City Council representatives in mid September 2006, which included the Mayor and Chief Executive Officer. The Council expressed in-principle support for the changes and FaCSIA staff were invited to a meeting with the full Council on 16 October 2006 where a more in-depth discussions about transition arrangements were held.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 176

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

Will there be any Indigenous community councils in this category that maintain responsibility for municipal service delivery in their community? If so, please list those councils and communities.

Answer:

No.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 059

Topic: Indigenous Housing Funding Release Processes

Hansard Page: Written

Senator Carr asked:

Please provide details of the timing of release of Commonwealth Indigenous housing funds to each State and Territory for the years 2003-04, 2004-05 and 2005-06.

Answer:

The timing for the release of funds under the Indigenous Housing and Infrastructure Agreements and other bilateral agreements was:

	2003/04	2004/05	2005/06
ACT			27/6/2006
NSW	5/12/2003 20/1/2004 27/4/2004 23/6/2004 24/6/2004	31/8/2004 21/2/2005 22/4/2005 20/5/2005	24/3/2006 8/5/2006 7/6/2006
VIC	15/3/2004 20/5/2004 22/6/2004	25/5/2005 31/5/2005 6/6/2005 15/6/2005 16/6/2005 20/6/2005	16/6/2006 20/6/2006
QLD			19/6/2006 20/6/2006
SA	21/11/2003 28/1/2004 6/2/2004 31/3/2004 25/5/2004 7/6/2004	27/8/2004 29/10/2004 21/2/2005 21/3/2005 12/4/2005 22/4/2005 28/4/2005 11/5/2005 24/5/2005 15/6/2005 22/6/2005	7/11/2005 16/1/2006 8/5/2006 25/5/2006 20/6/2006
WA		31/8/2004 29/10/2004 22/12/2004 8/2/2005	3/3/2006 21/3/2006 29/5/2006 8/6/2006

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

		22/3/2005 24/3/2005 29/3/2005	12/6/2006 19/6/2006
NT	28/11/2003 28/1/2004 30/4/2004 17/6/2004 18/6/2004 22/6/2004	15/10/2004 9/12/2004 31/1/2005 18/2/2005 15/4/2005 12/5/2005	17/1/2006 16/3/2006 1/6/2006 6/6/2006

In accordance with clause 4(31) of the Commonwealth State Housing Agreement (CSHA), Aboriginal Rental Housing Program (ARHP) funds are provided fortnightly in advance once an Indigenous Housing Plan has been agreed between the Australian Government and the relevant State or Territory, with any funding withheld included in the first payment.

For 2003-04, clause 4(29) of the CSHA provided for early release of funds for the first four months without the requirement for an agreed Indigenous Housing Plan. In December, Ministers agreed to vary the CSHA to extend this period for a further two months. Payments to any state or territory without an agreed Plan at the end of this period were then suspended until the Plan was agreed between the Australian Government and the relevant state or territory.

In 2004-05, Ministers again varied the CSHA to allow for early release of funds for the first three months. Payments were then suspended until the Indigenous Housing Plan was agreed between the Australian Government and the relevant state or territory.

ARHP funds were released fortnightly from the following dates:

	2003-04		2004-05		2005-06
	Commenced	Recommended	Commenced	Recommended	Commenced
NSW	1/9/2003	5/2/2004	7/10/2004	24/2/2005	19/1/2006
VIC	1/9/2003	28/6/2004	7/10/2004	6/6/2005	18/5/2006
QLD	1/9/2003	13/1/2004	7/10/2004	6/6/2005	18/5/2006
WA	1/9/2003		7/10/2004	14/12/2004	9/10/2005
SA	30/10/2003	13/1/2004	7/10/2004	24/2/2005	18/5/2006
TAS	1/9/2003	15/1/2004	7/10/2004	16/6/2005	6/4/2006
ACT*	N/A	N/A	N/A	N/A	N/A
NT**	1/9/2003		7/10/2004	24/2/2005	19/1/2006

*The ACT does not receive ARHP funding.

**Payment of the Rural and Remote Funding component was not paid until 3 June 2004.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 065

Topic: Community Housing and Infrastructure Program (CHIP) Review

Hansard Page: Written

Senator Carr asked:

- (a) Has this review been completed? If so, when was it presented to the Minister?
- (b) Please provide a copy of the consultant's report.
- (c) Who undertook / is undertaking the review?
- (d) What is / was the cost of this review?
- (e) How was the consultant chosen to undertake the review?
- (f) What are / were the terms of reference? Please provide a copy.

Answer:

The CHIP review was completed and presented to the Minister late last year. The review is still being considered by Government and any response will be announced when Government thinks its appropriate.

PricewaterhouseCoopers, Consultants, undertook the review. The final cost of the review was \$736,475 plus GST.

An open tender process was conducted in February 2006 and eight tenders were received, none of which met the Statement of Requirement. In accordance with Commonwealth Procurement Guidelines, FaCSIA determined to direct source the contract and PricewaterhouseCoopers were considered to be best equipped to meet the Statement of Requirement. The Terms of References for the CHIP Review were published in May 2006 and are at **Attachment A**.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

ATTACHMENT A

COMMUNITY HOUSING AND INFRASTRUCTURE PROGRAM (CHIP) REVIEW

TERMS OF REFERENCE

1. Review the purpose of CHIP, what it has achieved and identify learnings that could lead to possible future programme policy options to most effectively and efficiently achieve the Australian Government's outcomes in relation to Indigenous housing and related infrastructure.
2. Review current national and international literature, research and data relating to the services and functions provided under CHIP, and related programmes in comparable countries, identifying gaps in research and data.
3. Examine and document the scope and range of services delivered under CHIP and their relationship to the broader Australian Government Indigenous affairs and social policy agenda.
4. Explore alternate delivery mechanisms, including linkages with other Australian Government Indigenous programs and policies, and opportunities to increase access to mainstream programs for the provision of Indigenous housing and related infrastructure, including relationships with the Aboriginal Rental Housing Programme (ARHP) and the Commonwealth State Housing Agreement (CSHA).
5. Examine and provide options of appropriate administrative arrangements for the delivery of Australian Government Indigenous housing and related infrastructure programmes including opportunities to streamline processes and reduce red tape.
6. Examination of current and future needs analysis and planning methodologies; identifying gaps and provide options for alternate data and evaluation models.
7. Examine governance issues facing CHIP in effectively and sustainably delivering Australian Government Indigenous housing and related infrastructure programmes through state, territory and local governments, and Indigenous housing organisations with a particular focus on capacity building.
8. Engage and consult with key stakeholders including other Australian Government agencies and state and territory governments, and advisory groups set up under the Indigenous Housing and Infrastructure Agreements in relation to the future strategic and operational framework for CHIP.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 066

Topic: Community Housing and Infrastructure Program (CHIP) Review

Hansard Page: Written

Senator Carr asked:

In his 4 September interview on the World Today, Minister Brough noted the “need to look at the entire system”. How does the CHIP review fit into this bigger picture?

Answer:

The CHIP Review is a broad ranging review, as reflected in the Review’s Terms of Reference (see response to Question No. 065). The Minister has also made a number of public statements in relation to broader systemic issues, including a major announcement of the Government’s blueprint for Indigenous Affairs.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 171

Topic: Community Housing and Infrastructure Program (CHIP) Review

Hansard Page: Written

Senator Evans asked:

- (g) On what date did the external review of CHIP begin?
- (h) What were the objectives of the review?
- (i) Did this review consider current funding arrangements, including those with the states and territories under CHIP?
- (j) Did this review consider alternative funding arrangements under CHIP?
- (k) Did this review consider both funding that is directly administered by your department and the funding that is administered by the states and territories?
- (l) Please name the consultants that have been commissioned as part of the review?
- (m) How much funding has been allocated and expended in relation to this external review per each financial year that it has been in operation? Please include departmental expenses, consultancy fees and expenses, and any other related expenses.
- (n) Have there been any delays in the completion of the review?

Answer:

The external review of CHIP began on 10 April 2006. Also see question on notice 068.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 185

Topic: Native Title Representative Bodies

Hansard Page: Written

Senator Evans:

In relation to Native Title Representative Body (NTRB) funding for 2006-07:

- (a) When did NTRBs receive their funding for the 2006-07 financial year?
- (b) If there was any delay, please provide an explanation for this delay.
- (c) The 2005-06 Department of Families, Community Services and Indigenous Affairs (FaCSIA) Annual Report showed that there was a \$1.689 million underspend. What was the reason for the underspend?
- (d) Could you please provide a breakdown of how the \$16.974 million of actual expenditure was spent, including:
 - (i) By organisation
 - (ii) How much was for operational funds compared to capacity building funds
- (e) Could you please also explain why the budget for 2006-07 increased to \$61.189 million?

Answer:

Under the 2006-07 funding agreement, NTRBs receive three funding releases in four-monthly tranches. All NTRBs had received their first release of 2006-07 funds by 29 August 2006, following the execution of funding agreements. All NTRBs' second funding releases were actioned by 7 November 2006.

Funding offers for 2006-07 were made to all NTRBs during July and August and were duly accepted. All NTRBs received their first release of funding by 29 August 2006 (eight in July and eight in August), with nine of the 16 releases occurring earlier than in the previous year. This outcome is considered to be satisfactory given the ambit nature of many of the funding applications received which necessitated, in many instances, major reconstruction of budgets and Operational Plans before funding offers could be finalised.

The underspend of \$1.689 million identified in the Department's 2005-06 annual report relates to the Native Title and Land Rights program. Of this amount, \$0.953 million relates to the Native Title element of the program. This \$0.953 million was funding earmarked for the South West Aboriginal Land and Sea Council Aboriginal Corporation (SWALSC). Release of the \$0.953 million to SWALSC was withheld when SWALSC came under considerable scrutiny in the last quarter of 2005-06 and OIPC became aware of a number of issues that needed to be resolved before further funds could be released, including some unpaid debts from previous periods.

The actual expenditure of \$16.974 million on the Native Title and Land Rights Program reported in the FACSIA Annual Report for 2005-06 relates only to the period from

Senate Community Affairs Legislation Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

27 January 2006 to 30 June 2006, when the program was managed under the FACSIA portfolio. Prior to the change in the Administrative Arrangements Order on 27 January 2006, the program was managed under the former Immigration and Multicultural and Indigenous Affairs portfolio. The table below sets out the operational and capacity-building funds released to NTRBs for the full 2005-06 financial year and direct expenditure on NTRB capacity building activities during that period.

Table (\$)

Native Title Representative Body	Operational Funds released to NTRB 2005-06	Capacity Building Funds released to NTRBs 2005-06	Total Funds released 2005-06
Aboriginal Legal Rights Movement	2,842,727	40,000	2,882,727
Cape York Land Council	3,008,381	88,000	3,096,381
Carpentaria Land Council	3,135,995	107,000	3,242,995
Central Land Council	2,554,709	32,000	2,586,709
Central Queensland Land Council	2,391,023	43,642	2,434,665
Goldfields Land Council	3,513,300	79,000	3,592,300
Gurang Land Council	2,128,936		2,128,936
Kimberley Land Council	4,011,846	70,000	4,081,846
Native Title Services Victoria Ltd	2,647,105	29,000	2,676,105
New South Wales Native Title Services Ltd	3,376,760		3,376,760
Ngaanyatjarra Land Council	2,749,412	65,000	2,814,412
North Queensland Land Council	2,324,469	138,952	2,463,421
Northern Land Council	3,341,611	69,265	3,410,876
Queensland South Native Title Services Ltd	2,822,700		2,822,700
South West Aboriginal Land & Sea Council	2,926,560	21,000	2,947,560
Yamatji Marlpa Barna Baba Maaja	6,171,037	72,000	6,243,037
Total Funding to NTRBs	49,946,571	854,859	50,801,430
Plus Direct Capacity Building Expenditure		1,965,376	1,965,376
Total Native Title Program Expenditure	49,946,571	2,820,235	52,766,806

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

The full year budget for the Native Title and Land Rights Program in 2005-06 was \$56.355 million, with a base allocation of \$56.955 million before adjustment for funds rephased from 2004-05 (+\$2.100 million) and to 2006-07 (-\$2.700 million). The 2006-07 appropriation for the Native Title and Land Rights Program is \$61.189 million, of which \$58.48 million relates to the Native Title Program, and \$2.709 million relates to the Land Rights Program.

The 2006-07 appropriation for the Native Title and Land Rights Program is derived as follows:

	\$ million
2005-06 Native Title Base allocation:	54.320
Plus Indexation:	1.460
Plus Rephase from 2005-06:	2.700
Total 2006-07 Native Title Allocation:	58.480
2005-06 Land Rights Base Allocation	2.635
Plus Land Rights Indexation	.074
Total 2006-07 Land Rights Allocation	2.709
Total Native Title and Land Rights	61.189

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group 1.2

Question No: 064

Topic: CHIP

Hansard Page: Written

Senator Carr asked:

The response to a Question on Notice for the Minister representing Mr Brough in the Senate, sought the same information in relation to CHIP that Mr Brough had indicated publicly he was seeking from the States and Territories in relation to their programs. The response provided the information in very broad terms – essentially the same level that is provided in the Annual report.

- a) Would the level of detail provided in Senator Kemp's response constitute an adequate response from the States, if that were the way they responded to the Minister?
- b) If the answer to (a) is no, can the Department explain why the Minister is requiring more detailed information from the States and Territories than the Government is able or prepared to provide to the Parliament about its own programs?
- c) As part of this question I asked for the list of communities currently identified as priorities for receiving assistance under CHIP. Why was this information not included in the response? Please provide this information.

Answer:

The Government's response indicated that it was not opposed to the dwelling level data being provided to the Senator if state and territory governments wished to provide it. The Department can make representations to each jurisdiction seeking release of this information, subject to any state based legislative requirements.

A list of communities that received new or upgraded houses in 2004-05 and 2005-06 was inadvertently not included in the original response. This is provided at **Attachment A**.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Attachment A

Locations or Communities that received new or upgraded houses:
2004-05 and FY 2005-06

3 Mile	Echuca	Lightning Ridge	Reservoir
5 Mile	Flinders Island	Lindenow	Robinvale
Alexandra Hills	Framlingham	Lockhart River	Rockhampton
Alice Springs	Gapuwiyak	Lucknow	Roma
Angurugu	Garrinjinni	Maclean/Nungera	Roxburgh Park
Atherton	Giangurra	Maningrida	Sarina
Ayr	Gilgandra	Mapoon	Sarsfield
Babinda	Gold Coast	Mareeba	Shepparton
Babungi Outstation	Goombungee	M'bunghara	Smithton
Bairnsdale	Goondiwindi	Mildura	St George
Ballarat	Gordonvale	Milibunthurra	Sunshine Coast
Batemans Bay	Grovedale	Milingimbi	Tjuntuntjarra
Beauresert	Gununa	Mimili	Toowoomba
Beenleigh	Gympie	Mingallini	Townsville
Belmont	Hampton Park	Minjilang	Traralgon
Bidyadanga	Healesville	Mitchell	Tully
Bollon	Herberton	Moama	Umagico
Bonya	Hermansburg	Mossman	Wada Wurra
Bowen	Heywood	Mossman Gorge	Outstation
Broken Hill	Hopevale	Mt Garnet	Warakurna
Bruthen	Horsham	Mt Margaret	Warburton
Bundaberg	Hughenden	Mulan	Warrnambool
Burnie	Ingham	Napranum	Warwick
Cairns	Injinoo	New Mapoon	Watarru
Cape Barren	Innisfail	Newcastle	Wellington
Charter Towers	Ipswich	Ngukurr	Wentworth
Cherbourg	Jumbun	Norlane	Wodonga
Chillagoe	Jungalina	North Stradbroke	Woorabinda
Chinchilla	Junjuwa	Island	Wreck Bay
Cobar	Kadjina	Nowra	Wujal Wujal
Coen	Kalano	Numbulwar	Wurlbu Outstation
Cooktown	Kalparrin	Numultja	Wynnum
Corio	Kelso	Oakey	Yalata
Cow Lagoon	Kennedy	Papunya	Yarrabah
Croydon	Kerang	Pilliga	Yuendumu
Cunnamulla	Kirwan Townsville	Pirlangimpi	
Cygnets	Kuranda	Post Hill	
Dalby	Lajamanu	Preston	
Dirrinbandi	Lake Tyers	Punmu	
Dubbo	Lakes Entrance	Quirindi	
East Geelong	Lalor	Ravenshoe	

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 058

Topic: Municipal Services

Hansard Page: Written

Senator Siewert asked:

I understand that a FaCSIA spokesperson recently issued the following statement:
“At present, some Indigenous communities within local government boundaries are being funded to undertake basic municipal services normally delivered by local government authorities. It is the Australian government’s preference that municipal services to these communities are delivered by local government, just as local government provides for other Australians. The communities have been funded for their municipal services for a period of six months to allow the Department time to negotiate with the communities and local government authorities about transferring these functions.”

- (a) Is there an expectation that Local Government will be willing and able to take on these services?
- (b) On what evidence basis does FaCSIA believe that this is likely to be an effective (or more effective) approach to service delivery for Indigenous communities?
- (c) What process is used to engage with local governments to facilitate this process?
- (d) Does FaCSIA consult with Local Government first to ascertain if they have the capacity to take over the delivery of these community services?
- (e) Does FaCSIA discuss with them the best way to undertake such a handover and establish a timeline?
- (f) In the case of Davenport, is there an expectation that Port Augusta City Council will take over the delivery of municipal services?
- (g) Did FaCSIA consult with Port Augusta City Council about taking over the management of Davenport's municipal services?
- (h) Does FaCSIA know if they have the capacity to do so?
- (i) Was FaCSIA aware that the Port Augusta council could not guarantee the jobs of three DCC staff?
- (j) Have other councils around Australia been defunded in this manner?
- (k) Which other councils around Australia will also be defunded?
- (l) Can FaCSIA please provide details including the resources involved and the evaluations undertaken
- (m) Is the community of Umoona (near Coober Pedy) also likely to be defunded?

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Answer:

FaCSIA expects that Local Government Authorities (LGAs) will be willing to provide the same level of services to their Indigenous communities as they currently provide for all other residents. Moving to a single level of service delivery will remove duplication and will ensure services are provided in an effective manner to all community members.

FaCSIA has provided funding to the Local Government Association in South Australia to conduct a review on the provision of local government services to encapsulated Indigenous communities (communities that are located within the boundaries of local government areas). The review is due for completion in June/July 2007. In the meantime, FaCSIA is continuing to consult with affected LGAs and will work closely with them to ensure effective transition plans are developed in consultation with the community. Regular meetings and workshops are being held that include the affected LGAs, State Government agencies and other relevant stakeholders.

Local councils were considered to possess the capacity to deliver these services as they deliver those services to all other residents within their council area. There have been several discussions with affected local councils about appropriate transition/handover arrangements.

Regarding services to the Davenport community, there is an expectation that Port Augusta City Council will take over delivery of municipal services. The Council is already providing rubbish collection services to the Davenport community.

FaCSIA first met with representatives from both the Davenport Community Council and the Port Augusta City Council on 27 March 2006. At this meeting FaCSIA raised potential changes to the provision of services. Since that time there has been several meetings with both parties to discuss appropriate transition arrangements. The Port Augusta Council is considered to have capacity to deliver the municipal services to the Davenport community. As an example, the Council has varied its contact with an external contractor to accommodate the incorporation of the Davenport Community into its arrangements for rubbish collection.

FaCSIA staff are also discussing with the Port Augusta City Council the employment of local Indigenous people. FaCSIA is working to ensure that employment opportunities for local Indigenous people are maximised under the new arrangements.

Port Augusta City Council has stated that it encourages Indigenous employment and currently employs approximately 35 Indigenous people. FaCSIA is working with the Davenport Community Council and the Aboriginal Lands Trust to employ local people in the delivery of a range of other community support services such as community beautification.

None of the encapsulated Indigenous communities in South Australia affected by the changed arrangements have been defunded. The mainstreaming of municipal services is not about defunding councils, rather it is about ensuring that Local Governments take responsibility for the provision of essential municipal services to Indigenous communities located within their boundary. Two Indigenous councils (Davenport and Umoona Community Councils) are no longer being funded directly for the provision of municipal services. However, FaCSIA is continuing to provide funding for non-municipal services.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 181

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

What would be your department's position if neither body accepts the arrangement?

Answer:

The Australian Government considers that local councils have a responsibility to provide services to all residents within their boundaries, including Indigenous residents. The Australian Government acknowledges that historically it has had a role in delivering these services and is working towards a sensible transition to local councils. All reasonable attempts will be made to develop mutually acceptable arrangements for transition. This includes working closely with the Aboriginal Lands Trust and those state government agencies that have specific responsibilities for local government to ensure that Indigenous people are provided with equal access to local government services.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

.... Question No: 172

Topic: Municipal Services

Hansard Page: Written

Senator Evans asked:

How many Indigenous organisations stopped receiving Municipal Services (MS) funding in the 2005-06 financial year? Please list these organisations by state and territory, specifying for each

- (a) The community(s) they serviced
- (b) The name of the local government or organisation that has taken over municipal services for that community
- (c) The date their MS funding ceased
- (d) The date that the MS funding transferred to the new body

Answer:

The information is provided at **Attachment A**.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Attachment A

Organisation	State/Territory	Community Serviced	Local Government Authority	Date MS funding ceased	Date MS funding transferred to new body	Reason funding ceased
Tjurma Homelands Council (Aboriginal Corporation)	SA	APY Lands Homelands	AP Services	1 July 2005	Early in 2005-06 financial year	Regional service delivery model established with the introduction of a Homelands Resource Agency (AP Services) for the APY Lands.
Walmajarri Incorporated	WA	Outstations - Koorabye, Yakanari, Djugerri.	Marra Worra Worra Aboriginal Corporation	1 July 2005	1 July 2005	Walmajarri was rated as a high risk organisation and an alternative service provider was required.
Anilalya Council (Aboriginal Corporation)	SA	Anilalya	AP Services	1 July 2005	Early in 2005-06 financial year	Regional service delivery model established with the introduction of a Homelands Resource Agency (AP Services) for the APY Lands.
Marruwayura Aboriginal Corporation	WA	Wiluna also known as Bondini reserve	Western Desert Puntukurnuparra Aboriginal Corporation (WDPAC)	1 July 2005	1 July 2005	Marruwayura has gone into liquidation. Services were delivered through WDPAC in 2005-06 and Bundiyarra Aboriginal Corporation in 2006-07.
Port Lincoln Aboriginal Community inc	SA	Westcoast Homelands	Tjujunaka Worka Tjuta Inc (TWT)	1 July 2005	Early in 2005-06 financial year	Regional service delivery model established with the introduction of a Homelands Resource Agency (TWT) for the West Coast.
Pukatja Community Incorporated	SA	Pukatja	Ninti Corporate Services AP Services	1 July 2005 June 2006	Early in 2005-06 financial year 18 August 2006	Pukatja was rated as a high risk organisation and an alternative service provider was required.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.2

Question No: 169

Topic: Municipal Funding

Hansard Page: Written

Senator Evans asked:

What is your Department doing to ensure that local Indigenous people at Davenport do not lose their jobs to outside contractors as a result of the decision?

Answer:

FaCSIA is working to ensure that employment opportunities for local Indigenous people are maximised under the new arrangements. The Port Augusta City Council has stated that it encourages Indigenous employment and currently employs approximately 35 Indigenous people. FaCSIA is working with the Davenport Community Council and the Aboriginal Lands Trust to employ local people in the delivery of a range of other community support services such as community beautification.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 039

Topic: Mutitjulu – Administrators

Hansard Page: CA54

Senator Evans asked:

How many times had the administrators visited the community and when? How much is the second administrator (for the school and health clinic) being paid? What services do they provide and have they ever had a doctor before?

Answer:

The administrator of Mutitjulu Community Health Service (Aboriginal Corporation) and Nyangatjatjara Aboriginal Corporation advised the Office of the Registrar of Aboriginal Corporations (ORAC) that he visited Yulara and Alice Springs from 12 March to 14 December 2006 on the following dates:

Month	Dates in Yulara / Alice Springs
March	Visit 1 - 12, 13, 14, 15, 16, 17 Visit 2 - 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31
April	Visit 3 - 9, 10, 11, 12, 13, 14 Visit 4 - 23, 24, 25, 26, 27, 28, 29, 30
May	Visit 5 - 7, 8, 9, 10, 11, 12 Visit 6 - 22, 23, 24, 25, 26
June	Visit 7 - 4, 5, 6, 7 Visit 8 - 12, 13, 14, 15 Visit 9 - 19, 20, 21, 22, 23
July	Visit 10 - 10, 11, 12, 13, 14, 15 Visit 11 - 31
August	Visit 11 - 1, 2, 3, 4 Visit 12 - 7, 8, 9, 10, 11 Visit 13 - 27, 28, 29, 30, 31
September	Visit 13 - 1 Visit 14 - 10, 11, 12, 13, 14,
October	Visit 15 - 2, 3, 4, 5, 6, 7 Visit 16 - 16, 17, 18, 19 Visit 17 - 27, 28, 29, 30, 31

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

November	Visit 17 – 1 Visit 18 - 12, 13, 14, 15 Visit 19 – 27, 28, 29, 30
December	Visit 19 (cont.) – 1 Visit 20 – 10, 11, 12, 13, 14

The administrator of Mutitjulu Community Aboriginal Corporation advised that he and/or his staff visited the community on the following dates since his appointment:

Month	Dates of community visits
July	Visit 1 – 20,21
August	Visit 2 - 7, 8, 9, 10, 11 Visit 3 – 29,30,31
September	Visit 3 (cont.) – 1
October	Visit 4 - 5, 6 Visit 5 – 29,30,31
November	Visit 5 (cont.) – 1
December	Visit 6 – 19,20,21

* Note that there has been an acting CEO at MCAC for some time.

The administrator of the Mutitjulu Health Service has been paid \$93,570.75 from the time of his appointment on 13 March 2006 until 20 December 2006.

The administrator of Nyangatjatjara Aboriginal Corporation has been paid \$167,778.37 since his appointment on 28 April 2006 until 20 December 2006.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

The Mutitjulu Community Health Service (MCHS) is funded by the Department of Health and Aging for primary health care services, including 24 hour emergency service for Indigenous people at Mutitjulu. The estimated population is about 110 people.

The administrator has engaged an acting general manager, who started in October 2006.

At present, there are two nurses employed at the clinic and a third one is engaged on a locum basis when required, which the administrator advises is adequate.

Also, Mutitjulu patients have access to doctors at the Royal Flying Doctor Service (RFDS) on a weekly basis at Yulara. Emergencies are dealt with by the duty nurse and, if needed, the RFDS doctor. MCHS is investigating engaging a doctor, and this is subject to further discussions with the relevant funding agencies.

In the past there have been doctors available at MCHS using a mixture of arrangements. The most recent was available for 3 afternoons a week from 8 February to 28th April 2006 at no cost to the organisation, with RFDS retaining any Medicare income. Previously doctors were employed either part-time or full-time during the following periods:

- 3rd October 2005 to 15th October 2005
- 19th September 2005 to 7th October 2005
- 8th August 2005 to 2nd September 2005
- 1st April 2004 to 7 March 2005
- 7th July 2000 to 3rd January 2003.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 043

Topic: Aboriginal Corporations – Legal Action

Hansard Page: CA62

Senator Evans asked:

How many cases have they taken legal action rather than a “please explain” process regarding taking action against Aboriginal corporations in a case of a complaint?

Answer:

In relation to the appointment of administrators, if Office of the Registrar of Aboriginal Corporations (ORAC) considers that grounds, as outlined at section 71(2) of the *Aboriginal Councils and Associations Act*, exist for the appointment of an administrator, then a notice calling on the Governing Committee to show cause why an administrator should not be appointed is always issued. The timeframe for the response can vary depending on the circumstances.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 111

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

What plans are there in place for OIPC to publicise the changes to come about under the Corporations (ATSI) Act ?

Answer:

ORAC has a comprehensive communications strategy outlining in detail how changes under the new legislation will be publicised. (See answer Q112 for details.)

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 112

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

How will this be done and by whom?

Answer:

The Office of the Registrar of Aboriginal Corporations (ORAC) is employing a range of strategies to publicise the changes occurring under the Corporations (Aboriginal and Torres Strait Islander) Act. ORAC has been communicating with corporations about the changes since the Australian Government announced reform of the ACA Act in 2002.

ORAC has already distributed information packs that explain the introduction of the Bill, its passage through parliament and how the legislation will operate. ORAC also operates an 1800 hotline (managed by employees trained to explain the changes), has a series of fact sheets on different topics, and an information brochure. Information is available in standard and plain English and ORAC has a range of visual tools that explain the transitional arrangements for speakers of Indigenous languages.

This information has been sent to all corporations registered with ORAC and key stakeholders. In addition it is available on the ORAC website and by request.

ORAC also uses the Indigenous radio network and currently has a program of advertisements notifying of the changes to the legislation. ORAC will continue to advertise the CATSI Act changes via radio for Indigenous network distribution. ORAC will also continue to make direct contact with corporations and stakeholders, and provide targeted information sessions about the legislation.

Media releases, intended to reach as wide an audience as possible, will be continuously released throughout the transitional period. Additionally, there will be advertisements placed in local media to reach Indigenous audiences around the country.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 113

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

What support and training will there be for existing corporations during the transition period?

Answer:

ORAC has a suite of training and information sessions available to assist corporations with good governance and understanding the requirements of the legislation. In addition ORAC runs information and troubleshooting sessions for individual corporations.

Throughout the transitional period, ORAC will be running constitutional redesign workshops in some localities to assist corporations make the necessary changes to their constitutions. In order to provide this service ORAC will be able to draw upon the expertise of its panel of consultants that includes accountants and auditors, lawyers, constitutional redesign and corporate governance experts and trainers.

Further support is currently being provided through the tools made publicly available to assist corporations to achieve good governance and to meet their obligations under the CATSI Act. An important tool is the model transitional constitution, available on ORAC's website. This model constitution is available for new or existing corporations to adopt now, and is designed to minimise the number of changes required when the CATSI Act commences on 1 July 2007.

Guides for good governance will be developed to provide tailored assistance in specific sectors, such as prescribed bodies corporate that hold or manage native title. These guides will assist in the development of corporations tailored to the specific needs and circumstances of the incorporating group.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 114

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

Will any such support be available for all of the some 2800 corporations at present registered (that are still actually operating)?

Answer:

As at 8 November 2006, there were 2565 corporations registered with ORAC. Corporations are able to access ORAC's range of services through the 1800 hotline and web site, and there are do-it-yourself tools to assist corporations. Training and information sessions are available to provide extra face to face support to corporations. Higher need corporation sectors, higher need localities, and corporations under regulation, are targeted for this extra assistance. Corporations may request this extra assistance. ORAC tries to respond to requests by including requesting corporations in the targeted programs. The training and information covers a variety of content linked to improving capacity and compliance. It also targets better rule design and troubleshoots areas such as managing conflict and conflict of interest.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 115

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

If so how will such training provision training be prioritised among the many demands?

Answer:

ORAC prioritises its work and targets corporations based on risk and location. ORAC has a rolling program of examinations and good governance audits which are supported by training and information sessions.

ORAC works with key funding and peak bodies, and mainstream training providers, to ensure that ORAC complements them in supporting corporations through the changes and good corporate governance training.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 116

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

What funding and other related resources will be available and from which programs? For example will additional staff be recruited to provide training and support and if so how many?

Answer:

All of ORAC's budget and resources are applied to the administration of the legislation. The government has provided an additional \$28 million over 4 years to enhance existing services and provide for the implementation of the CATSI Act.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 117

Topic: Changes to the Corporations (ATSI) Act

Hansard Page: Written

Senator Crossin asked:

Will funding be available to organisations to meet change requirements if needed – for example changing computer programs, or holding additional meetings to change constitutions?

Answer:

ORAC is not a funding agency and does not fund corporations. The transitional arrangements include a period of up to two years so that changes can be made in a progressive way if necessary. For instance, changes to the constitution can be made as part of the general meetings that corporations are already required to hold on an annual basis.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 138

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

Why was an administrator appointed to the Mutitjulu Community Aboriginal Corporation?

Answer:

The administrator was appointed because grounds for the appointment were established under sections 71(2)(d) and 71(2)(f) of the *Aboriginal Councils and Associations Act 1976*. The appointment was made in the interest of the members and creditors of the corporation and in the public interest.

An administrator was appointed to ensure that vital services could continue.

A member of the corporation sought a review of this decision and the Federal Court affirmed the Registrar's decision to appoint the administrator. The member has lodged a notice of appeal against the court's decision.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 141

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

When was the Minister first briefed about the proposed appointment of an administrator to MCAC?

Answer:

ORAC briefed the Minister on 14 July 2006 pursuant to Section 71(3) of the *Aboriginal Councils and Associations Act 1976*.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 142

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

How much has the federal government spent to date on legal proceedings relating to the appointment of an administrator to MCAC?

Answer:

As at 30 November 2006 the cost of the Registrar's legal proceedings is \$172,688.36, including responding to an application made by a member of the corporation in the Federal Court to review the Registrar's decision to appoint an administrator to MCAC.

On 17 December 2006, the Federal Court dismissed the application and ordered that the member pay the costs of the Registrar and the administrator in these proceedings.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 143

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

How much has the federal government paid to the administrator of the MCAC?

Answer:

As at 30 November 2006 the total amount paid to the administrator since the appointment was \$65, 814.54 (excluding GST.)

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 144

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

How much has the federal government paid to the administrator of the Mutitjulu health clinic?

Answer:

As at 30 November 2006, the administrator has been paid \$93,570.75, of which the Department of Health and Ageing has paid \$67,498.75 and ORAC has paid \$26,072.00.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 145

Topic: Mutitjulu

Hansard Page: Written

Senator Crossin asked:

How much Federal Government funding has flowed into the Mutitjulu community since the appointment of an administrator?

Answer:

Details of Federal Government funding received since the date of the administrator's appointment to Mutitjulu Community Aboriginal Corporation are as follows:

Date of Offer	Agency	Project	Amount Offered (\$)	Term of Offer	Amount Released (\$)
2 August 2006	FaCSIA	Municipal Services	203,500	9 August 2006 to 31 December 2006	169,583.70
29 May 2006	Centrelink	Centrelink Agent Services	36,650	1 July 2006 to 30 June 2007	24,896.30

Details of funding offers that have been executed and awaiting funding release are as follows:

Date of Offer	Agency	Project	Amount Offered (\$)	Term of Offer	Amount Released (\$)
2 August 2006	FaCSIA	Night Patrol	25,740 (See note below)	9 August 2006 to 31 December 2006	Nil
12 September 2006	FaCSIA	Capital Funding	130,200	One off	Nil
25 September 2006	FaCSIA	Long day care	123,553	1 October 2006 to 30 June 2007	Nil
25 September 2006	FaCSIA	Outside School Hours	80,692	1 July 2006 to 30 June 2007	Nil
25 August 2006	FaCSIA	Youth and Recreation	7,645	One off	Nil

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Note, an amended Program Funding Agreement dated 20 December 2006 was received by MCAC withdrawing the funding offer in respect of Night Patrol, and it is understood by MCAC that an external provider will be engaged to facilitate night patrol services for the Mutitjulu Community. Also note, discussions are continuing with FaCSIA regarding the Program Funding Agreement for Capital Funding. It is anticipated that this agreement will be finalised in the immediate future.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 152

Topic: Mutitjulu Community Aboriginal Corporation - CEO

Hansard Page: Written

Senator Crossin asked:

Why has the CEO's position at Mutitjulu Community Aboriginal Corporation (MCAC) still not been advertised?

Answer:

The CEO's position at MCAC was advertised on the weekend of 5-6 November 2006. Until 18 December 2006, the administrator was subject to orders by the Federal Court of Australia, made on 2 August 2006, as to the process for recruiting a CEO. This process involved working with an advisory committee in the community and making an application to the court to employ a CEO.

As the court, on 18 December 2006, affirmed the Registrar's decision to appoint the administrator, he is able to act without restriction to recruit a CEO. However he continues to work with the Advisory Committee on recruiting a CEO.

Note that there has been an acting CEO at MCAC for some time.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 154

Topic: Muckaty Aboriginal Corporation (MAC) (NT)

Hansard Page: Written

Senator Crossin asked:

Re: Constitution approved by the Delegate of the Registrar (Joe Mastrolembo) on 8 September 2006:

- (a) When did ORAC become involved in changes to the MAC Constitution?
- (b) Did an ORAC officer consider the details of the new MAC Constitution before it was put at a special meeting?
- (c) How standard a constitution is it compared to similar corporations?
- (d) Did ORAC make recommendations for changes to the constitution?
- (e) Did the officer attend the meeting?
- (f) Did the officer examine that there was sufficient notice given to the eligible members of the Corporation of the meeting to vote on the new constitution?
- (g) How many eligible members were there at the meeting?
- (h) What transition measures are there in place for members of the MAC under the old constitution to become members under the new one?

Answer:

On 9 April 2006, at the request of the Northern Land Council, ORAC conducted a corporate governance information session with members of the Muckaty Aboriginal Corporation (MAC) and Muckaty traditional owners.

The information session covered: an introduction to corporations and corporate structures; the roles and responsibilities of members, the governing committee and corporation management and staff; the requirements of MAC's current constitution and related compliance issues; and putting in place a process and timeline to address these compliance issues.

ORAC was also present at the MAC annual general meeting conducted that day, following the information session.

As part of the ORAC information session and MAC annual general meeting, the need for changes to MAC's current constitution was discussed and workshopped with the group.

A copy of the proposed new MAC constitution was provided to ORAC prior to the special general meeting. ORAC reviewed the proposed new constitution for compliance with the Aboriginal Councils and Associations Act (ACA Act).

In reviewing the proposed constitutional changes for compliance with the ACA Act, ORAC suggested changes to the proposed new constitution of the corporation.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

The delegate of the Registrar and other ORAC representatives conducted a further governance information session with members of MAC and Muckaty traditional owners, prior to the special general meeting held on 24 June 2006. The ORAC representatives were also present during the special general meeting held that day.

In approving the new MAC constitution, the delegate of the Registrar considered and was satisfied that all the requirements of the ACA Act and the corporation's current constitution, including notice requirements, were satisfied.

Twelve eligible members of MAC were present at the special general meeting.

All persons who were members of MAC under the old constitution remain members of the corporation under the new constitution of MAC, approved on 8 September 2006. There is no requirement for these members to re-apply or renew their membership under the new constitution.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 155

Topic: Mutitjulu Aboriginal Corporation

Hansard Page: Written

Senator Crossin asked:

What advice did ORAC receive before the announcement that funding would be stopped from the community. Was the Minister's office involved in the decision?

Answer:

Following the appointment of an administrator to the Mutitjulu Community Aboriginal Corporation, a member of the community applied to the Federal Court for a review of the Registrar's decision. The Federal Court dismissed the application on 18 December 2006. The member subsequently lodged a notice of appeal against the court's decision. As the matter is *sub judice*, no further details in response to this question can be provided at this time.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 156

Topic: Mutitjulu Aboriginal Corporation

Hansard Page: Written

Senator Crossin asked:

Isn't it part of the Registrar's statutory role to seek other avenues for settling problems with a corporation rather than appointing an administrator?

Answer:

In the case of MCAC, the Registrar of Aboriginal Corporations appointed an administrator because the grounds existed under section 71 of the *Aboriginal Councils and Associations Act 1976* (the Act). A member of the corporation made an application to the Federal Court to review the Registrar's decision. The Federal Court found that the community was in "crisis" and the Registrar's decision to appoint the administrator was reasonable. The Federal Court dismissed the application of the member and ordered the member to pay the costs of the Registrar and the administrator. The member is appealing the Federal Court's decision.

Where there is not a crisis like there was in the case of MCAC, the Registrar has a variety of other functions provided for in the Act. Depending on the needs of the corporation, the Office may provide training services and other support services. Also, the Registrar has statutory powers to call a special meeting and undertake an examination of the corporation's books and records. The Registrar may exercise any or all of these powers where it will support the office's work to regulate corporations under the Act.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 157

Topic: Mutitjulu Aboriginal Corporation

Hansard Page: Written

Senator Crossin asked:

Who is paying the administrator?

Answer:

ORAC is paying the costs for the Administrator of the Mutitjulu Community Aboriginal Corporation at this time.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 158

Topic: Mutitjulu Aboriginal Corporation

Hansard Page: Written

Senator Crossin asked:

Where are the funds coming from and how much has it cost so far?

Answer:

See responses to Questions 143 and 157.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 159

Topic: Mutitjulu Aboriginal Corporation

Hansard Page: Written

Senator Crossin asked:

What has the appointment of an administrator achieved?

Answer:

Since the appointment of the administrator, Mr Brian McMaster, to Mutitjulu Community Aboriginal Corporation (MCAC) on 18 July 2006, the following matters have been improved:

1. The assets of the Corporation are now all secure, and the books and accounts are being kept up to date. In conjunction with the MCAC's auditor, the financial position of the MCAC is being established following uncertainty at the time of the appointment.
2. After a discontinuance of some significant funding, the administrator has negotiated the resumption and/or continuance of funding to MCAC, refer to Q145 for details.
3. Lodged a submission with DLGHS for housing and management grants on 28 September 2006. Letters of offer in respect of these grants were received by the administrator on 16 January 2006. Amounts of \$44,000 and \$127,257 have been offered in respect of Housing Management and Housing Maintenance respectively.
4. Allocated from MCAC funds an amount of approximately \$40,000 to be expended on urgent housing repairs such as hot water systems, electrical faults and sewerage.
5. Resumed child care centre construction. The administrator has paid the seventh progress payment on 11 December 2006. No further progress claims by the builder have been received from the builder to date; however the administrator is awaiting funding release in respect of the Capital Funding Agreement as signed by the administrator and sent to FaCSIA on 1 December 2006.
6. Negotiating for proposed child care operations and funding. The administrator is finalising with FaCSIA the proposed funding for 2006-2007 for long day care in the amount of \$123,552.59 and outside school hours care in the amount of \$80,692.22. Also, the administrator is working with the community and FaCSIA to develop a draft budget.
7. Continuation of, and more stable support for, day respite centre construction. The corporation holds funding of \$116,000 from Department of Health and Ageing (DHA) for use towards the upgrade of the day respite centre by the Mutitjulu Foundation. The Foundation has funds of approximately \$500,000 for use towards the construction of the day respite care centre. The Foundation has met with the community and is preparing plans for the upgrade.
8. Initiated recruitment of the Chief Executive Officer (CEO), as the position was vacant. With the community, the administrator has engaged a recruitment agency, Drake International, to undertake a recruitment process. The position has been

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

advertised and the administrator with the Advisory Committee is considering the applications.

9. Resumed discussions with Central Land Council in relation to funding for 2006-2007.
10. Entered into discussion with the community in relation to dog management issues in the community.
11. Entered into discussion with funding bodies of MCAC about contributing funds towards payments for trade creditors which are outstanding from before the appointment of the Administrator.
12. Ensured no interruption to Centrelink services.
13. Arrangement with Parks Australia for “day labourers” has resumed after unstable period prior to the administrator’s appointment.
14. The administrator has also complied with the orders handed down by the Federal Court of Australia on 2 August 2006. Essentially these orders were made to ensure the Committee was kept informed about the progress of the administration and to ensure they had a role in the selection of the new CEO. The Administrator has provided three detailed reports about his work to the committee since his appointment.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 160

Topic: Mutitjulu Medical records alleged unauthorised access

Hansard Page: Written

Senator Crossin asked:

Has the OIPC taken any action to investigate allegations made to their officers Kerry Tim and Jeff Richardson at a meeting with Mutitjulu residents that medical records at the Mutitjulu Clinic were accessed by unauthorised people to compile information regarding sexually transmitted diseases in the community?

(It is alleged by some community members that Andrews accessed medical records at the community clinic without authorisation to get information about childhood STIs for the petrol sniffing inquest in 2005.)

Answer:

The Office of the Registrar of Aboriginal Corporation understands that the allegations made to officers Kerry Tim and Jeff Richardson from the Department of Families, Community Services and Indigenous Affairs (FaCSIA) at a meeting with Mutitjulu residents that medical records at the Mutitjulu Clinic were accessed by unauthorised people occurred before the appointment of the Administrator. This question has been answered by Brian McMillan from FaCSIA.

ORAC became aware of another alleged leak of patient records after the appointment of an administrator, Eamonn Thackaberry (the Administrator) to Mutitjulu Community Health Service (Aboriginal Corporation) as detailed below.

On 13 September 2006, the Administrator informed ORAC that there was an alleged leaking of patient records. This was reported to the Yulara Police Station. On 3 October 2006, ORAC met with Superintendent Michael White at Alice Springs Police Station and was informed that the matter continued to be under investigation. On 26 November 2006, the Administrator reported to ORAC that security to the health service building and record storage had improved. In addition, the police continue to investigate the possible release of patient records. However, they are not optimistic that there is sufficient evidence to lay charges and are treating the matter seriously.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 161

Topic: ORAC Website – Role of Registrar

Hansard Page: Written

Senator Crossin asked:

The role of the Registrar from ORAC Website updated 13 Sept 2006. What influence did the Minister exert on the independent Registrar of Aboriginal Corporation to appoint the administrator?

Answer:

None

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 162

Topic: ORAC Website–Role of Registrar

Hansard Page: Written

Senator Crossin asked:

Did the Registrar express concerns about her independence being breached in the pressure that was applied to appoint an administrator?

Answer:

No.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 1.3

Question No: 357

Topic: Mutitjulu

Hansard Page: CA52

Senator Siewert asked:

Could you please advise how much the administrator of Mutitjulu is paid?

Answer:

See answer to Question No. 143

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 123

Topic: Family Violence Regional Activities Program and the Family Violence Partnerships Program Evaluations

Hansard Page: Written

Senator Evans asked:

1. When is the OEAS due to report and will it be made public?
2. Has FaCSIA devised a response to the Courage Partners Evaluation? In particular, has the department/OIPC given any consideration to the recommendations regarding:
 - Having a focus on preventative (rather than crisis intervention) processes?
 - Longer term funding arrangements - i.e. more than 12 months grants - to facilitate longer term change esp. behavioural change? (especially when they seem to give out grants to the same organisations year after year because these organisations have a proven record of providing service).
 - If so, please provide an overview of its response to these recommendations.
3. How much did the Courage Partners Evaluation cost?
4. Has the Minister been briefed on its contents?

Answer:

The Minister for Finance and Administration will determine the timing of the publication of the Office of Evaluation and Audit report.

The department has considered the recommendations of the Courage Partners Evaluation Report and supports a focus on preventative services. The government has recently approved multi-year funding agreements for the Family Violence Regional Activities Programme. The department continues to look at options to improve the effectiveness of the programme.

The cost was \$198,750.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 188

Topic: Utilities Payments

Hansard Page: Written

Senator Evans asked:

How many payments were made to households with a person of Age or Service Pension Age?

Answer:

Page 113 of the FaCSIA Annual Report 2005-06 provides details on the number of One-off Payments made to older Australians. The Department of Veterans' Affairs should be consulted for information about payments made to people of Service Pension age.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 189

Topic: Utilities Payments

Hansard Page: Written

Senator Evans asked:

What was the total cost of payments to age/service pensioners?

Answer:

The total cost of the One-off Payment made to older Australians in receipt of FaCSIA income support was \$148.3 million. This is included in the Utilities Allowance figures in Table 2.22 on page 104 of the FaCSIA Annual Report 2005-06. The Department of Veterans' Affairs should be consulted for information about payments made to people of Service Pension age.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 191

Topic: Utilities Payments

Hansard Page: Written

Senator Evans asked:

How many payments were made to self-funded retirees?

Answer:

Page 113 of the FaCSIA Annual Report 2005-06 provides details on the number of one-off payments made to older Australians.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 192

Topic: Utilities Payments

Hansard Page: Written

Senator Evans asked:

What was the total cost of payments to self-funded retirees?

Answer:

Total cost of the one-off payment made to Commonwealth Seniors Health Care holders was \$31.3 million. This is included in Seniors Concession Allowance figures in Table 2.22 on page 104 of the FaCSIA Annual Report 2005-06.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 193

Topic: Utilities Payments

Hansard Page: Written

Senator Evans asked:

How many self-funded retiree households are there in total, and how are these broken down by single/couple households?

Answer:

This information is not collected.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 194

Topic: Pension Bonus Scheme

Hansard Page: Written

Senator Evans asked:

- (a) Is the department aware of an anomaly in the Pension Bonus Scheme, whereby people who fall ill or get injured while they are still working under the Pension Bonus Scheme might not be eligible for sickness benefits?
- (b) Is the department aware of people being affected by this anomaly? If so how many people are affected?
- (c) Have any steps been taken to remedy this situation?

Answer:

Registration in the Pension Bonus Scheme (the scheme) does not affect eligibility for employer provided paid or unpaid sickness benefits.

The department has no information on receipt of employer provided sickness benefits.

All aspects of the scheme are monitored on an ongoing basis.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 190

Topic: Utilities Payments

Hansard Page: Written

Senator Evans asked:

How many pension households are there in total, and how are these broken down by single/couple households?

Answer:

The 2005/06 Annual Report at pages 109-110 for Age Pension provides information on single and couple pensioners.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 197

Topic: Assets Test

Hansard Page: Written

Senator Evans asked:

In relation to the current arrangements where a pensioner can sell a home and is given 12 months to build/purchase a new home before the proceeds of the sale of the original home are assessed as assets:

- a) In 2004-05 and 2005-06 how many pensioners reached the 12 months without having completed the purchase of the new home and had the sale proceeds assessed as assets for the purpose of the asset test?
- b) How many of those pensioners are living in WA?
- c) Is the department aware of any complaints from pensioners affected by this rule?

Answer:

See Minister Cobb's media release of 2 January 2007 - attached.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006



The Hon John Cobb MP
Minister for Community Services

Minister for Community Services
Media Release

Pensioners assisted by changes to exemption rules on new homes

02/01/2007

The Australian Government will extend the exemption period of principal home sale proceeds from 12 months to up to 24 months for affected pensioners from 1 July 2007.

Subject to the passage of legislation, customers who have been forced from their home due to a disaster and have not been able to rebuild or repair their home within 12 months will also benefit from the changes.

Under the current social security rules, if a pensioner sells their home, or if their home is destroyed, and they have not rebuilt or repaired their home, the proceeds and the unfinished home are exempt from the assets test for a period of 12 months.

"The Government has decided to extend the exemption period from 12 months to up to 24 months which will assist those who cannot complete the construction of their home due to factors beyond their control," Acting Families Minister John Cobb said.

"This new measure comes particularly as a result of monitoring of the recovery efforts from Cyclone Larry and recognises the difficulty some pensioners might experience where there are unavoidable construction delays."

"This measure recognises that the intensity of rebuilding efforts for large scale natural disasters exacerbate demands on skilled labour and results in slow construction times.

"Rather than restrict the measure to disaster affected regions the extension of the exemption is a comprehensive approach that will assist pensioners throughout Australia who are having difficulty purchasing, constructing, or rebuilding their home."

"While the measure will start from July 1 2007, the Government understands that there will be a small group of people within the Cyclone Larry area who might need assistance after the expiration of the existing 12 month exemption period on the anniversary of Cyclone Larry in March 2007. As an interim measure, where and if required, provision for ex gratia payments will be made for affected pensioners.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

"This is another example of the Howard Government supporting our senior Australians. This year the Australian Government expects to spend around \$22 billion in Age Pension for around 1.9 million people - up from around \$12 billion in 1995-96.

"The Howard Government has also increased incentives to save for retirement. Superannuation has been reformed and the pension assets test taper rate will be halved from 20 September 2007," Mr Cobb said

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.1

Question No: 361

Topic: The 2006/07 Budget measure: *Fraud and Compliance: improved assessment of the value of real estate assets*

Hansard Page: written

Senator Evans asked:

How many age and disability pensioners does the government anticipate:

- a. lose all payments and
- b. have their payment reduced

by the 2006 Budget measure to increase the number of reviews of non home real estate asset values?

Answer:

The reviews will make sure that customers' entitlements reflect their income and assets.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 203

Topic: Commonwealth legislation standards of facilities for people with disability

Hansard Page: CA79

Senator Eggleston asked:

What are the differences between Commonwealth legislation standards of facilities for people with disability and people in wheelchairs as compared to the UK and the European Union Standard?

Answer:

There are two main areas of Commonwealth legislation related to the standards for facilities for people with disability, the *Disability Services Act 1986* and the *Disability Discrimination Act 1992*.

The Commonwealth *Disability Services Act 1986* outlines arrangements for the provision of services for people with disability. The National Disability Service Standards sit under the Act and apply to all service types funded through the Commonwealth State Territory Disability Agreement.

The Attorney-General's Department provides legal and policy information on matters arising under the *Disability Discrimination Act 1992 (DDA)*.

The Department of Families, Community Services and Indigenous Affairs has not undertaken any work to compare standards relating to these two areas of legislation with current standards in the UK and the European Union.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 209

Topic: Commonwealth Disability Strategy

Hansard Page: Written

Senator McLucas asked:

- 1 When will the Commonwealth Disability Strategy be made public?
- 2 Which Commonwealth Government Departments and organisations have and have not addressed the needs of people with disabilities in employment or community participation as per the Commonwealth Disability Strategy?
- 3 If any Government department has not addressed the needs of people with disabilities in employment or community participation as per the Commonwealth Disability Strategy what action will be taken to rectify this?

Answer:

The Commonwealth Disability Strategy is publicly available. The Report on the Evaluation of the Strategy was released on 8 November 2006. Both the Strategy and the Evaluation Report are available on the department's website.

The Evaluation did not include an assessment of Commonwealth organisations' performance against the CDS.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 212

Topic: Young People with Disability in Residential Aged Care

Hansard Page: Written

Senator McLucas asked:

How much funding has been allocated to each state and territory for the COAG YPINH scheme? What is each State and territory planning to do? What is the time frame for implementation?

Answer:

COAG agreed that the Younger People with Disability in Residential Aged Care (YPIRAC) Programme would be implemented on a day to day basis by state and territory governments from July 2006, subject to the signing of a bilateral agreement between the Australian Government and each state and territory government.

As at 12 January 2007, six bilateral agreements had been made (New South Wales, Victoria, Queensland, South Australia, Tasmania and the Northern Territory). The amounts committed by the Australian Government under those bilateral agreements are as follows:

Jurisdiction	Total \$ Amt
New South Wales	\$40,638,871
Victoria	\$30,126,251
Queensland	\$23,866,328
South Australia	\$9,202,265
Tasmania	\$2,900,649
Northern Territory	\$1,215,056

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 213

Topic: Young People in Nursing Homes

Hansard Page: Written

Senator McLucas asked:

Has the survey undertaken by Australian Healthcare Associates been completed? If so, what are the main findings, and a copy be provided? If it is not completed, when is it expected to be completed?

Answer:

The project referred to is expected to be finalised in early 2007.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 214

Topic: Young People in Nursing Homes

Hansard Page: Written

Senator McLucas asked:

Given the COAG announcement of Feb 10, has the research project into “Younger People with High Clinical Needs” living in residential aged care been “refocussed” to factor in this initiative?

Given the COAG YPINH Program’s capacity to bring YPINH into the community, the NDA project should the research be redirected to examine the transition outcomes from residential aged care to the community and funding regimes to achieve this? Why has this group been allowed to continue pursuing its original brief in light of these significant changes?

Answer:

The project objective remained valid following the February 2006 COAG announcement, and will inform implementation of the Young People in Residential Aged Care programmed.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 216

Topic: Young People with Disability in Residential Aged Care

Hansard Page: Written

Senator McLucas asked:

What interagency protocols have been developed between the departments of Health and Ageing (DOHA), family and Community Services and Indigenous Affairs (FACSIA) and Commonwealth Carers concerning the implementation of the COAG YPINH initiative? Is the interdepartmental collaboration underway?

Answer:

Since the announcement of the COAG Health Services package, on 10 February 2006, FaCSIA has collaborated with other Australian Government bodies in relation to the implementation and ongoing support of the Programme.

FaCSIA was given the role of lead agency for the Australian Government in the implementation of the Younger People with Disability in Residential Aged Care (YPIRAC) Programme. While COAG provided some key parameters for the Programme, there were a number of complex issues to be resolved, requiring the involvement of a number of Australian Government agencies.

Formal arrangements for the exchange of information and cooperation around the Programme include:

- an Interdepartmental Committee (IDC), on which the Department of Health and Ageing is represented;
- FaCSIA has facilitated, with the Department of Health and Ageing (DoHA), access by states and territories to statistical data relating to younger people with disability in Australian Government funded aged care homes, including data to enable state and territory disability agencies to establish contact with younger people currently in residential aged care places; and
- under the bilateral agreements there is a requirement for disability agencies to develop a protocol clarifying referral procedures between state and territory disability agencies and the Aged Care Assessment Teams (ACATs). FaCSIA has facilitated the distribution of this draft protocol in consultation with DoHA.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 217

Topic: Young People with Disability in Residential Aged Care

Hansard Page: Written

Senator McLucas asked:

What policy and strategic activity is underway that will prevent young people being placed in nursing homes in the future?

Answer:

The COAG Younger People with Disability in Residential Aged Care (YPIRAC) Programme represents a significant commitment by both levels of government to address this issue.

A key objective of the Programme, agreed with all state and territory governments, is to divert future admission of younger people with disability who are at risk of admission to residential aged care.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 218

Topic: Young People with Disability in Residential Aged Care

Hansard Page: Written

Senator McLucas asked:

What will happen to those YPINH over 50 who will be denied access to the COAG opportunity because of its time and resource limitations? Why have they been denied access to this opportunity?

Answer:

The Programme represents a significant first step towards reducing the numbers of younger people with disability in residential aged care that was cooperatively agreed at COAG.

COAG agreed younger people with disability in residential aged under 65 years of age are eligible for assistance under the Programme and that an initial priority would be given to younger people with disabilities living in residential aged care under 50 years of age.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 219

Topic: Mental Health Respite Place

Hansard Page: Written

Senator McLucas asked:

Part of the COAG Mental Health Package announced 5 April 2006 was 650 new respite places to help families and carers of people with a mental illness.

- a) What will be the eligibility criteria to access a mental health respite place?
- b) How will the Department define the target group for the program?

Answer:

The eligibility criteria to access mental health respite places are currently being determined as part of programme design. In general the access to respite services will be based on the level of care need.

The target groups for the respite care programme are carers of people with a mental illness and carers of people with an intellectual disability. Priority access will be given to elderly parents who live with and care for children (including adult children) who have a severe mental illness or an intellectual disability.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 221

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will 'mental illness' be defined to determine FaCSIA's 'client' group? Will a clinical definition be used? Will a non-clinical definition, for example, based on functional capacity, be used?

Answer:

FaCSIA is using the Wisconsin statutes definition of severe and persistent mental illness ('previously referred to as chronic mental illness'). This USA jurisdiction is considered a world leader in the development of services for this population.

“Serious and persistent mental illness means a mental illness which is severe in degree and persistent in duration, which causes a substantially diminished level of functioning in the primary aspects of daily living and an inability to cope with the ordinary demands of life, which may lead to an inability to maintain stable adjustment and independent functioning without long-term treatment and support and which may be of lifelong duration. Serious and persistent mental illness includes schizophrenia as well as a wide spectrum of psychotic and other severely disabling psychiatric diagnostic categories, but does not include infirmities of aging or a primary diagnosis of mental retardation or of alcohol or drug dependence.”

(Wisconsin statutes, Chapter 51)

It is a functional assessment of a severe impairment level as a result of a mental illness that will make a person eligible for the Personal Helpers and Mentors programme.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 222

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What assistance will be available to people who are not assessed as having a ‘severe’ mental illness? (Note: both the Personal Helpers and Mentors program)

Answer:

Other measures (over and above those already provided by state and territory services), in the COAG National Action Plan on Mental Health address early intervention and prevention and the needs of other client groups. For example, better access to psychiatrists, psychologists and general practitioners is provided through changes to the Medical Benefits Schedule (MBS) worth \$538 million.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 223

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What qualifications in mental health work will those providing these programs be expected to have?

Answer:

Successful service providers will demonstrate their relevant experience and skills in providing the Personal Helpers and Mentors Programme through the open competitive selection process against specific selection criteria. It is expected that team leaders will have relevant qualifications, background and experience to the programme.

Services providing respite care will need to ensure quality service provision including adherence to any relevant standards, staff qualifications and or legislation relating to type of service and level of care required.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 224

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What funding will be available to enable community sector providers to ensure appropriate qualification levels among their staff?

Answer:

The components that make up the amount of funding available to community sector providers are currently being determined.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 225

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What funding model is proposed? For example, will the program provide funding under block grants, or using outcomes based funding?

Answer:

The funding model for the Personal Helpers and Mentors programme will be milestone based payment to allow service provider organisations flexibility in how services are delivered in their local area.

The Community Based Programme will provide milestone based grant funds to Non Government services.

The funding model for the respite programme will be confirmed as part of final decisions relating to the design of the program.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 226

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How frequently will funding levels be adjusted? For example, as a minimum, funding levels could be adjusted every year by movements in the CPI. (Note: this was a recommendation of the Senate Select Committee on mental health).

Answer:

Funding levels for both Respite Care and Personal Helpers and Mentors programmes will be adjusted annually as appropriate.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 227

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Has a stock take been done of what similar programs might already exist?

Answer:

Mapping in each jurisdiction has been undertaken of existing related services. FaCSIA is also working with the COAG Mental Health Implementation Inter-Departmental Committee and internally with the Mental Health Advisory group to reduce the risk of unnecessary duplication of services.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 228

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What should the relationship between any similar existing programs and the new FaCSIA programs be?

Answer:

The relationship should provide seamless and coordinated health and community services for people with a mental illness. The COAG National Action Plan on Mental Health aims to ensure that measures under the Plan are implemented in each jurisdiction in a coordinated way, taking account of local systems and capacity.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 229

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What will the relationship be between these programs and broader social services, eg income support, employment programs, housing?

Answer:

Personal Helpers and Mentors will need to have a good knowledge of the other social, clinical and community services available in their local area. They will develop Individual Recovery Plans with programme participants that identify a range of activities, some delivered by the Personal Helpers and Mentors and some provided by other clinical and community services.

Personal Helpers and Mentors will need to work cooperatively and collaboratively with other services identified in the Individual Recovery Plan, have appropriate referral processes in place and ensure that services accessed by programme participants are coordinated and integrated.

Services funded under the respite care programme will be expected to link and liaise where relevant with other service providers that provide broader support for carers.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 230

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Will there be appropriate entry pathways from broader social services into these FaCSIA programs?

Answer:

Participants will be able to enter the programmes through a wide range of pathways including both clinical and community services.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 231

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will FaCSIA ensure that the design of this program is suitable to the needs of people with severe mental illnesses? (*People with a severe mental illness are potentially likely to need more intensive one-to-one assistance*)

Answer:

The demonstration sites chosen in the first year of operation of the programme will be evaluated to ensure the programme is operating as intended and meeting the needs of participants.

National consultations have been held with stakeholders from government, non-government and community organisations and consumers. Feedback provided by stakeholders has been taken into consideration in the design of the programmes.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 233

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Have eligibility criteria been defined for this programme? Who will undertake this assessment?

Answer:

The programme will target people aged 16 years and over whose ability to live independently in the community is severely impacted because of a mental illness. The assessment methodology is currently being designed for the programme.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 234

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Is it anticipated that people with a mental illness and people with an intellectual disability will use the same respite care facilities?

Answer:

The respite programme will aim to provide, as far as possible, appropriate services for individual needs.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 235

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

If so, what safeguards are envisaged to minimise the potential for problems to arise from such an overlap?

Answer:

All service providers funded under the respite programme will be required to meet relevant quality standards and legislation appropriate to the type of care.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 236

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What proportion of respite care places will be offered to:

- a. people with a mental illness?
- b. people with an intellectual disability?

Answer:

This is being considered as part of programme design.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 237

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What types of settings will respite care be delivered in? Eg in-home respite services, day care centres?

Answer:

The types of settings that respite care can be delivered in will be determined based on individual carer need.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 238

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Will respite care facilities be available in rural areas?

Answer:

Respite care facilities will be available in rural areas.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 239

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What activities will be available for people placed into respite care?

Answer:

The activities available for people in respite care will vary depending on location, provider expertise and care recipient requirements. The respite programme will aim to provide, as far as possible, appropriate and flexible services to meet individual needs.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 240

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

At this stage, respite care places will be overnight or day services. What will FaCSIA do if carers prefer to access respite care for more extended periods, eg for a week or a fortnight?

Answer:

The types of respite care places that will be available are currently being considered as part of programme design. However the programme is seeking to allow flexible options tailored to meet the needs of individuals and their carers.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 241

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Will 24 hour emergency respite care be available as part of this initiative?

Answer:

24 hour emergency respite care places will be available as part of the initiative.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 242

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Is the proposal for 15,000 places per annum, or for 15,000 families to receive assistance?

Answer:

Based on the original budget costing, it was anticipated that up to 15,000 families per annum may receive assistance once all “places” are established. In seeking to allow flexibility in design and delivery, this figure may change.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 243

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What is the relationship between this initiative and the National Respite for Carers Program?

Answer:

The Mental Health Respite Programme will seek to complement existing respite care programmes, including the National Respite for Carers Program and will have a specific focus on carers of people with a mental illness and carers of people with an intellectual disability with priority to older carers caring for children (including adult children) at home.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 244

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will non-government organisations be funded to provide this service? Will people who receive respite care be expected to pay a fee for service?

Answer:

The funding mechanisms for this programme are currently being determined as part of programme design.

Fee for service will not be charged under this programme.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 245

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Given that the program is targeted at early intervention/prevention, what will the eligibility criteria for the program be? Eg criteria for assessing families/children/youth at risk of developing mental illness. Who would be best placed to make this assessment? What referral mechanisms would operate?

Answer:

The Mental Health Community Based Programme is still in design stage. It is expected the programme will fund a wide variety of projects to support families, children and people coping with mental illness.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 246

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will this program be linked to current programs for newly arrived migrant families and programs for indigenous families?

Answer:

Non government organisations will be expected to outline coordination approaches for linking across services aimed at target groups and to advise appropriate service providers in their community or local area about their projects.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 247

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will this program be linked to broader Family Relationship Services programs?

Answer:

Discussions have been held with the Family Relationships Services Program (FRSP) area in FaCSIA. The Community Based Programme projects in many cases will support existing FSRP services through increased services to families dealing with mental health issues.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 248

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will the type of non-clinical assistance that these projects will provide for families/children/young people experiencing mental illness differ from the model proposed for the Personal Helpers and Mentors program?

Answer:

Personal Helpers and Mentors will provide a high level of support to an individual experiencing severe mental illness, while the Community Based Programme would focus more on families, children and young people who may not have a mental illness themselves, but whose lives are affected by a person with a mental illness.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 249

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

Will non-government organisations be able to trial a range of non-clinical approaches, rather than having to follow a prescribed approach?

Answer:

It is expected that the Community Based Programme guidelines will be broad in scope.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 250

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How long will assistance be provided under the program?

Answer:

The time period for individual projects funded under the Community Based Programme will be decided as part of the program design, which is not yet complete

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 251

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

How will the program be funded? Eg grant based funding

Answer:

Community Based Programme will be grant based funding.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 358

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Moore asked:

Please provide a copy of the Mental Health Action plan that defines functional disability?

Answer:

See answer to Question No. 221.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 199

Topic: Funding agreement for the National Disability Advocacy Program

Hansard Page: CA71

Senator McLucas asked:

Please provide a copy of the generic contract to be offered to the current funded organisations.

Answer:

A copy of the current funding agreement which was sent to organisations in November 2006 is at Attachment A.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006



Australian Government

**Department of Families, Community Services
and Indigenous Affairs**

Long Form Funding Agreement

BETWEEN THE

Commonwealth of Australia as represented by and acting through the
Department of Families, Community Services and Indigenous Affairs
ABN -----

AND

Organisation

ABN -----

for the provision of advocacy services under the Commonwealth's
National Disability Advocacy Programme

[Note: the full text (199 pp) of the Long Form Funding Agreement was tabled in the Senate on 08.02.07 and has not been included in the electronic/printed volume]

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 200

Topic: National Disability Advocacy Program

Hansard Page: CA73

Senator McLucas asked:

- (a) Please list all services currently funded.
- (b) What type of advocacy service they provide?
- (c) What type of funding do they have?
- (d) Which are the ones that will have to provide statewide services?

Answer:

A list of services funded under the National Disability Advocacy Program is attached All organisations funded under this program receive recurrent funding.

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Attachment A
Question No: 200

National Disability Advocacy Program

Funded organisations, types of advocacy provided and organisations which are statewide.

	Individual	Self	Citizen	Systemic	Parent	Family	State wide
New South Wales							
Ability Incorporated		X		X			
Brain Injury Assoc of NSW Inc	X			X			X
Citizen Advocacy Eastside Assoc Inc	X		X				
Citizen Advocacy Northside	X		X				
Advocacy Northwest Inc	X						
Citizen Advocacy Ryde/Hunters Hill Inc	X		X				
Disability Advocacy Network Inc	X	X		X			
Disability Advocacy Service Hunter	X			X			
Illawarra Citizen Advocacy Inc			X				
Intellectual Disability Rights Service Inc	X			X			X
Multicultural Disability Advocacy Assoc Inc (MDAA)	X			X			X
Newell Advocacy Inc	X		X				
People With Disability Australia Inc	X			X			X
Self Advocacy Sydney Inc		X		X			
Spinal Cord Injuries Australia Ltd	X			X			X
Sydney Regional Aboriginal Corporation Legal Service (IDAS)	X			X			

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

	Individual	Self	Citizen	Systemic	Parent	Family	State wide
Institute for Family Advocacy and Leadership Development Association						x	x
Victoria							
Action on Disability within Ethnic Communities	x			x			x
AMIDA	x			x			x
Citizen Advocacy - Sunbury and Districts Inc			x				
Citizen Advocacy Western Region Inc	x		x				
Disability Advocacy and Information Service Inc	x			x			
Disability Employment Action Centre (DEAC)	x			x			x
Disability Justice Advocacy Inc	x			x			x
Disability Rights and Advocacy Service Barwon Region	x			x			
Gippsland Citizen Advocacy Inc	x		x	x			
Gippsland Disability Resource Council Inc	x			x			
Grampians disAbility Advocacy Association Inc	x			x			
Headway Victoria	x			x			x
North East Citizen Advocacy Inc	x		x				
Regional Information & Advocacy Council Inc	x			x			
Southern Citizen Advocacy Inc			x	x			
Southwest Advocacy Association Inc	x			x			
Villamanta Legal Service Inc	x			x			x

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

	Individual	Self	Citizen	Systemic	Parent	Family	State wide
Westernport Speaking Out Inc		x					
Victorian Mental Illness Awareness Council Inc (Group Advocacy Service)	x			x			
Action for Community Living	x			x			
Citizen Advocacy Inner East	x		x				
Colac Citizen Advocacy Program	x			x			
Queensland							
Citizen Advocacy South-West Brisbane Incorporated			x				
Independent Advocacy in the Tropics Inc	x			x			
North West Advocacy	x			x			
Queensland Advocacy Incorporated	x			x			X
Queensland Parents for People with a Disability Inc				x			x
Rights In Action Incorporated	x						
Speaking Up For You (Group) Inc	x						
Sunshine Coast Citizen Advocacy Programme Inc			x				
Western Australia							
Advocacy South West (Inc)	x		x				
Citizen Advocacy Perth West Inc			x				
Citizen Advocacy South Metropolitan Inc			x				
Disabled Workers Union	x			x			x
Ethnic Disability Advocacy Centre Inc	x			x			x
MIDLAS Inc	x			x			

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

	Individual	Self	Citizen	Systemic	Parent	Family	State wide
People With Disabilities (WA)	x						x
The Roman Catholic Archbishop of Perth	x						
Individual Disability Advocacy Service	x	x					
Australian Capital Territory							
ACT Disability, Aged and Carer Advocacy Service (ADACAS)	x			x			x
Advocacy for Inclusion Inc	x	x		x	x	x	x
Northern Territory							
Disability Advocacy Service	x			x			
NPY Disability Advocacy Project	x			x			
Disability Rights	x					x	
South Australia							
Brain Injury Network of South Australia Inc	x			x			x
Citizen Advocacy South Australia Incorporated			x				
Disability Advocacy and Complaints Service of SA Inc	x						x
Family Advocacy Inc	x			x			x
Independent Advocacy SA Incorporated	x						x
MALSSA Inc.	x			x			
Tasmania							
Advocacy Tasmania Inc	x			x			x
Citizen Advocacy Launceston Region Inc			x				

Senate Community Affairs Legislation Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

	Individual	Self	Citizen	Systemic	Parent	Family	State wide
Speak Out Assoc of Tasmania (Speak Out)	x	x		x	x		x

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 204

Topic: Committee process around current National Disability Advocacy Program Review

Hansard Page: Written

Senator Nash asked:

Could you outline to the Committee the process around the current National Disability Advocacy Review?

Answer:

Social Options Australia conducted an independent review of the program in the first half of 2006. This review included consultation with advocacy providers, state and territory governments, families and carers of people with disabilities. A reference group which included disability advocacy providers and a representative from a state government provided feedback on the draft report from Social Options Australia in June 2006. The report's recommendations were taken into account in developing options to improve the program, along with performance data provided by funded advocacy services in their quarterly performance reports and annual Disability Services Census returns. Following feedback that the consultation undertaken by Social Options Australia had not been sufficient, a further consultation paper was released in late September 2006, face-to-face consultations held in major capital cities in October 2006, and written submissions invited.

Consultations with the sector will continue as the various program improvement components are developed over the next 12 months.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 205

Topic: Number of Disability Advocacy Organisations funded by the Australian Government

Hansard Page: Written

Senator Nash asked:

How many Advocacy organisations are currently funded by the government?

Answer:

The Australian Government currently funds 71 organisations to provide disability advocacy services.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 206

Topic: Purpose of Review of National Disability Advocacy Program

Hansard Page: Written

Senator Nash asked:

What is the purpose of the Review?

Answer:

The purpose of the review is to ensure that the \$12 million invested is targeted to people with disabilities who are in greatest need, to improve the program's effectiveness and efficiency.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 207

Topic: National Disability Advocacy Service in rural and regional Australia

Hansard Page: Written

Senator Nash asked:

Would you describe advocacy services to people with disabilities, their families and carers in rural and regional Australia, as being adequate?

Answer:

No. The current review of the National Disability Advocacy Program has highlighted that advocacy services are not available in some regional areas at all, and in other areas, the types of advocacy support available is restricted.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 208

Topic: Measuring the effectiveness of Advocacy Services

Hansard Page: Written

Senator Nash asked:

What is the benchmark for measuring the effectiveness of Advocacy Services. For example, is each Advocacy service required to have a certain number of clients on their books?

Answer:

Services must meet the quality standards set out in the Disability Services Act 1986 and are required to conduct a self-assessment each year, with an audit conducted each five years by departmental officers. Current funding agreements require organizations to report quarterly on the number of clients they have assisted, the number of new cases in the quarter, the number of cases resolved and the average time taken in providing advocacy support. Advocacy services complete an annual Disability Services census return on their activities.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 232

Topic: COAG Mental Health Package

Hansard Page: Written

Senator Evans asked:

What types of activities will personal helpers and mentors undertake?

Answer:

Examples of the types of activities that the Personal Helpers and Mentors may undertake include:

- *direct involvement*—including developing individual case management plans and linking with clinical case management, assessment of needs, advocacy, peer support, personal development, support for family relationships and mediation, support for managing daily activities
- *referrals to relevant services*—including to housing support, employment and education, drug and alcohol rehabilitation, independent living skills and mental health and allied health services and other relevant community based services
- *monitoring and reporting*—(non face-to-face) including monitoring client referrals, monitoring progress against individual case management plans and meeting reporting requirements for FaCSIA.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.2

Question No: 198

Topic: Comments received to the consultation papers

Hansard Page: CA66

Senator McLucas asked:

Could you provide copies of the comments the department received to the consultation papers?

Answer:

Over 90 formal submissions were received, together with comments on the review and/or the proposed changes in around 50 items of correspondence to the Minister. A summary of formal responses to the consultation paper is at **Attachment A**.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Attachment A
Question No:198

SUMMARY OF WRITTEN SUBMISSIONS IN RESPONSE TO CONSULTATION PAPER
(As at 8 November 2006)

Number	State/Territory (If information available)	Comments
<u>1</u>	NSW	*Generally support initiative. *Suggest Centrelink model (calls stay within state made) for the phone-line. *Submission includes attachments of their policy, exit questionnaire and areas of data collection.
<u>2</u>	QLD	*Opposes QPPD receiving funding as she feels they do not offer advocacy due to the fact they undertake Systemic advocacy. Believes their postcard campaign is misinforming as it claims they undertake Individual advocacy.
<u>3</u>	NSW	*Believe Citizen advocacy needs more funding and that this form of advocacy is a good form of Individual advocacy for those who are most vulnerable. *People with disabilities and their families need to be consulted as to the remodelling of the advocacy program. *Specialist services are needed for Indigenous, psychiatric and cognitive disabled people.
<u>4</u>	QLD	*Believe QPPD fails to meet Government benchmarks as it does not provide Individual advocacy.
<u>5</u>	SA	*Would like funding to rebuild their group- they do not want to provide Individually advocacy rather they want people with intellectual disabilities to train others with intellectual disabilities to speak up for their rights. Aim to provide a voice for people with intellectual disabilities, empower them to participate in consultations and educate the community. * Business plan attached to submission.
<u>6</u>	NT	*Believes volunteers are an important part of advocacy. *Supports QPPD. *Concern over perceived instability of 18mth Funding Agreements. *Concern phone-line will be inaccessible to those who are most vulnerable.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>7</u>	TAS	*Generally Support changes. *No Systemic advocacy exists in Tasmania. *Do not support the notion of benchmarks for different groups as they feel it is inconsistent with proposed KPI on non-discriminatory behaviour. *Would like a reference group to assist these reforms. *Support most Key Performance Indicators (KPI's) but with a few comments. *Reported on consultation paper and final report on the Evaluation of the National Disability Advocacy Program as they felt the report did not make any reference that many of the problems noted across the country were not or were present to a lesser extend in Tasmania.* Annual Report also submitted.
<u>8</u>	VIC	*Support changes. *Support uniformity in policy, procedures, intake, filing etc. *Have their own 1800 intake number. *Note the introduction of Victorian Advocacy Resource Unit. *Run a forum for parents of children with a disability to inform them of advocacy services.
<u>9</u>		*Concerned over proposed changes to Citizen advocacy. *Citizen Advocacy provides `independent meaningful relationships' and believe it is `preposterous and demeaning' for advocates to become professional and qualified. *Recommend as a matter of urgency a distinction be made between Individual unpaid advocacy, Individual advocacy and Systemic advocacy. *Citizen advocacy is low cost. *Copies of these document have been sent to a number of Members of Parliament and media-listed in attachment.
<u>10</u>	SA	*General support however they want increased funding for CPI, Systems advocacy in SA, training, meeting outreach needs and advocacy networking. *Concern over funding being measured on the number of 15-65 year old people as that would mean they would receive less funding. *Would like to discuss submission directly with Department. *Feel South Australia needs a Systemic advocacy program. *Want more funding *Attach a Business Plan, Memorandum of Understanding, Annual Report, details on KPIs *More meetings and networks for advocacy agencies.
<u>11</u>	QLD	*Concerned over data used and recommend the review be stopped and a more collaborative approach taken. *Detail their Priority table. *Against the model of an intake system as they feel this does not aid those with no voice. Feel service providers such as hostels, prisons etc will not aid people to speak out against them by helping them access advocacy. *Recommend an outreach model where advocacy is targeted to people with disabilities who cannot fend for themselves. *Against the competitive tender process. *Want recognition for the families and people involved in their organisation. *Attachments include correspondence between SUFY, Minister Cobb and Minister Pitt over a case SUFY advocated on.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>12</u>	NSW	*Agree with many sections in principle however concerned that details need to be developed and urge FaCSIA to use an evidence based approach for any changes implemented. *I.e. support access across Australia but concerned over practability. *Welcome standardisation as long as it is not too prescriptive and does not contradict State requirements. *Concern over inaccessibility for Non English Speaking Backgrounds (NESB) consumers to use centralised phone-line *Support measurable goals, objectives and measures in principle. *Support generalisation however specialisation is still needed until good services can be provided to all consumers. *Feel the vision is reactive rather than proactive with little focus on rights. *Submitted a response to Social Options paper and evaluation.
<u>13</u>	VIC	*Support response however concerned over lack of detail. *Feel increased reporting obligations may impact negatively on small services like themselves. *Request a definitive answer to the Departments attitude towards volunteers as advocates and Committee members and if they will continue to be supported. *Concerned about decision to wind back Systemic advocacy as it can reduce crisis demands on Individual advocacy providers. *Victoria should be seen as a model for collaborative approaches between networks.
<u>14</u>	NSW	*See the proposal as having more negatives than positives. *Would like to meet to discuss. *Dismayed over move away from Citizen advocacy. *Feel Citizen advocacy is misunderstood as it meets many of the goals for the proposed changes. *Welcome the proposals for policies, procedures, goals and objectives. *Feel proposed services will be unable to provide protection for Individuals and that Citizen advocacy is not adequately funded by the government.
<u>15</u>		*Concern their clients with complex needs will be lost in the new changes proposed. * Lack of clarity around review and concern over uncertain funding. *Support goals. *Request increased resources for increased service. *Note individuals do not always want same outcome from advocacy as families. *Issues of housing takes most of their time. *In regard to awareness, note other organisations often try to block the use of advocates.
<u>16</u>	QLD	*Oppose review. *Parent of a child with a disability. *QPPD helped her develop her advocacy skills. *Need for advocacy is ongoing - consumers face continual discrimination. *Believe Quality Assurance has not provided quality in the sector. *Programs need to be accountable to the people they provide advocacy to first. *Feel discussions with peak bodies is not sufficient consultation and that not enough consultation occurred.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>17</u>	VIC	<p>*Believe specialist services are need for acquired brain injury (ABI) consumers due to its complex nature. *Miscommunication around funding resulted in loss of highly experienced ABI advocates.</p> <p>*Review occurring at time of significant change in Commonwealth Disability policy- it is likely there will be an increase in the need for advocacy especially around welfare to work changes. *Paper does identify areas for improvement but this must be done in a consultative manner. *There needs to be balance between providing crisis driven services and early intervention services.</p>
<u>18</u>	SA	<p>*Support more benchmarks around Culturally and Linguistically Diverse (CaLD) consumers but want specialised services for CaLD consumers. *Accept the need for a more accountable and equitable program but request procedures between advocacy and legal and aged rights services.*Note the difficulty people with low English skills would have with advocating for themselves. *Want most changes to be made with consultation /collaboration with the service providers. *Want benchmarks around Indigenous, low English speaking people and CaLD. *May add to paper at later stage.</p>
<u>19</u>	WA	<p>*Support focus. *Want a clear definition of Individual advocacy. *Ongoing support is needed for people with intellectual disability</p> <p>*Against issues based advocacy. *There needs to be a focus on the service aiding consumers achieve a life free from neglect and harm.</p> <p>*Training needs to be adapted/ flexible for each organisation.</p>
<u>20</u>	NSW	<p>*Support reforms *They focus on social inclusion through arts.</p> <p>*Want cross-government partnership with FaCSIA. *KPI's should be refined. *Note HREOC disability rights</p>
<u>21</u>	NSW	<p>*Do not think changes will lead to improvement. *Concern over professional advocacy and the constraints paid advocacy brings.</p> <p>*Feel review has not taken State Government advocacy into account.</p> <p>*KPI's need more work. *Suggest rethinking target group, rethinking the focus on types of advocacy, administrative changes, development of nation wide advocacy sector. *Against competitive tenders.</p>
<u>22</u>		<p>*Support the majority of measures. *Policies and procedures should set minimal standard so they can be adapted. *Priority table should be a condition of funding. *Benchmarks should be a minimum and take into account area serviced.</p>
<u>23</u>		<p>*Support clear and measurable objectives, cross-disability services.</p> <p>*Do not support phone-line *Support better coverage but not at the cost of other disability advocacy types. *Do not support reduction in funding to Systemic and Citizen advocacy. *Each service type should have their own benchmarks. *Individuals should be supported first then families.</p>

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>24</u>	NSW	*Disappointed at perceived independence of organisation being taken away and believes this causes a conflict of interest. *Organisation needs to be seen as independent for consumers to use it.
<u>25</u>	WA	*Generally supports reforms. *Concerned that funding and services provided by the States and Territories under Commonwealth-State /Territory Disability Agreement (CSTDA) is not recognised. *Support generic advocacy services. *Concerned with the move away from Citizen advocacy.
<u>26</u>	VIC	
<u>27</u>		*Number of concerns *Feel a centralised service will erode the effectiveness of the advocacy program.
<u>28</u>	WA	Appears generally supportive
<u>29</u>	QLD	*Generally support reforms. *They have an Access and Equity Project Officer whose job it is to make connections with people from Indigenous and CaLD backgrounds with disability and to build these connections for the agency *Do not support competitive tender. *Have attached a section of their standards.
<u>30</u>	WA	*Support. *Believe separate Ethnic/CaLD services are needed.
<u>31</u>	NSW	*Concerned over changes. *Support Citizen advocacy *Feel help-line will not assist those who have a high level of dependence for basic needs - especially if they are being abused/neglected. *Further consultation is needed. *Will be contacting Minister to outline concern.
<u>32</u>	VIC	*Supportive as long as changes are implemented with the consultation of the sector. *Changes should not cost the flexibility, relevance or connection with the local community members and issues. Community membership is valuable.
<u>33</u>	SA	*Support in general. *Note difference in long term and short term cases and that there needs to be a more complex formulae to determine funding.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>34</u>	VIC	*Generally supportive. *Comments are from a meeting with members- VDAN's aim is to promote Self advocacy. *Concerned statistic based funding will be give a skewed picture and this formulae of redistributing funding do not take into account State funding. *Independent researcher and steering committee should guide goals. *Concerned Systemic advocacy is not well understood and that Peak bodies are not well place to undertake this role. *Believe issue and disability specific services are still needed.
<u>35</u>	NSW	*Support (in consultation with sector) introduction of measurable goals objectives, operating policies, procedures and benchmarking. *Concerns over priority table and how they will be determined. *Would like more consultation with sector.
<u>36</u>		*Supportive. *Note as agencies become more generalised they need to be aware of specific legislations covering disabilities both on a State and Commonwealth level. *Believe Systemic issues should be dealt with on a State level and the Commonwealth should provide feedback on these issues.
<u>37</u>	NT	*Support. *Concerned that centralising services could lead to a limit in choices for consumers.
<u>38</u>	QLD	*Generally Supported. *While quality assurance is required it is often onerous and funds could be spent on other needs so urge this to be kept to a minimum. *While generalisation of services is generally supported some people with cvertain disabilities need specialist services such as hearing impaired consumers.
<u>39</u>	VIC	*Broadly supportive with some suggestions. *Commonwealth, States and Territories should form a working group to maximise effectiveness. *Competitive tendering process should only be introduced where there are gaps in advocacy program. *Believe there should be issues specific advocacy.
<u>40</u>	TAS	*Generally support. *Do not support there proposal to benchmark different groups of disabled consumers . *While they agree with most KPI's they would like more time to respond.
<u>41</u>	QLD	*Dismayed with changes. *Reforms look similar to those proposed over the numerous reviews over the past 15 years of advocacy. I.e. call centres, employment service standards etc. Each time these proposed changes have not occurred as they would weaken advocacy. *Suggest proposals are not what is needed.
<u>42</u>	WA	*Supports. *Concern with some issues.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>43</u>	QLD	*Commend FaCSIA for undertaking review however want a suspension of proposed changes so that a ``more thorough policy and program development process is undertaken". *Support in principle standards and goals, KPI's, policies and procedures however more work is needed. *Believe plans for the free-call number, Hub and spoke model, requiring Citizen advocates to undertake paid advocacy and diminishing systems advocacy needs to be dismissed.
<u>44</u>	VIC	*Critical of new phone-line and increased geographic coverage with no introduction of extra funds.*Support a `whole of disability' approach with a cross disability /generic framework and support a renewed emphasis on human rights. *Propose that a national summit is called for early next year for National Disability Advocacy Program (NDAP) funded agencies to identify ways for strengthening efforts across the nation. *This process should be open and transparent
<u>45</u>	QLD	*Upset about short timeframe for submissions. *They provide Systemic advocacy and are concerned about the move away from it as feel it is an vital role. *Believe the review is flawed and more work is to be done before any reformed introduced. *Support benchmarks and priority table. *Do not support competitive tender.
<u>46</u>	TAS	*Concerned over the move away from Citizen advocacy. *Feel this is a valuable form of advocacy which offers long term preventative support. *Critical of phone-line as users would be required to possess skills or an ability to use this form of communication (i.e. hearing, are able to speak) which many people with a disability do not possess and that it would establish advocacy as a crisis and complaint centre. *Have a list of terms the would like explained. *Consider the Social Options paper as undermining the value and meaning of advocacy. *State that FaCSIA does not have the legislative power to make fundamental changes to NDAP such as forcing Citizen advocacy to convert to Individual advocacy model or ceasing funding. Changes to Disability Services Act 1986 would be needed first. *Have attached overview of their services/goals.
<u>47</u>	SA	*Generally supportive. *Offers some discussion around quality assurance.
<u>48</u>	WA	*Need to recognise the contribution Citizen Advocacy offers. *Support standardised reporting. *Agencies should be independent and free from conflict of interest. *Citizen advocacy matches up people with those who can provide the services they need ie an accountant with a person receiving a workers compensation payout. They also have Advocate Associates who are professionals from various fields who give expertise freely. *Cases are closed if they are only short term crises.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>49</u>	WA	<p>*Propose Aboriginal disability advocacy be re-located with the ADA as an independent Aboriginal community-based organisation.</p> <p>*Aboriginal advocacy needs to be specialised . *Propose an independent Aboriginal disability advocacy services is developed in each state and that Aboriginal community based service organisations are funded to developed and deliver culturally secure disability services. *Propose service is recognised and supported as the Peak Aboriginal disability peak.</p>
<u>50</u>	NSW	<p>*Support increased Independent advocacy *Generally supportive of changes. *Support competitive funding round, free call number, hub and spokes model and quality assurance system. *Support priority table as losing as it tackles `reduced mental capacity' into account.</p> <p>*Would like further clarity over the definition of advocacy.</p> <p>*Concerned over co-location of services.</p>
<u>51</u>	QLD	<p>*Feel policies and procedures are too prescriptive. *Specialised services are still needed. *Concerned over decreased funding for Systemic advocacy. *Funding members of a family to advocate on behalf of a family interests is not consistent with Disability Services Act. *Would like more collaboration with the sector with these changes.</p>
<u>52</u>	ACT	<p>*Concerned by Peak bodies taking up Systemic advocacy as they are disability specific and believe they can only deal with Systemic issues at a national level not at a State level. *In regard to priority table concerned of an unintended impact on vulnerable people such as those who have a mild to moderate disability if they are viewed as being able to speak up for themselves despite their need for an advocate.</p>
<u>53</u>	VIC	<p>*Discuss the difference around the various forms of advocacy.</p> <p>*Advertising the service may lead to increased demand for the limited service. *Do not support minimum qualifications. *Before a model of services is rolled out in Victoria an account must be taken of the current services to avoid duplication.</p>
<u>54</u>	VIC	<p>*Support most changes but believe there need to be specialised service for vision impaired people.</p>
<u>55</u>	QLD	<p>*Support the need for improvements particularly in respect to resourcing guidelines, increasing access to advocacy for the most vulnerable and the development of performance measurement and quality assurance. *Concerned changes are being made without a common understanding if what social advocacy is.</p>

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>56</u>	WA	*Concerned at the implication in consultation paper that there is too much Systemic advocacy- feel the people most in need are those who face structural and Systemic obstacles. *Recommend that advocacy services are permitted to engage in Systemic advocacy as issues arise.
<u>57</u>	WA	*Concerned over Citizen advocacy. *Believe service can only provide advocacy during office hours while Citizen advocacy can provide this after-hours and their Citizen Advocacy service provides after hours office support.
<u>58</u>	VIC	*Support view. *Concern with priority table, increased focus on Individual and family advocacy and the measurable goals and objectives. *Concerned the value of Citizen advocacy is underestimated.
<u>59</u>	ACT	*Support changes. *Note the invisibility of people with hearing loss and that they are often missed out in statistical data note this in relation to funding for areas by statistical data.
<u>60</u>	QLD	*Concerned over move away from Citizen advocacy. Feel Citizen advocacy offers volunteers which are cost efficient, offers early intervention, can protect people against neglect, abuse and exploitation, assists those who are most vulnerable -who have no friends, family or support networks, provides community development.
<u>61</u>	NSW	*Generally supportive. *Do not support generalisation of services. *Self advocates may still need assistance as they have not seen others do this or may not have been given this opportunity before.
<u>62</u>		*Submission is around the data/client management system. Please see submission for details. Writer has extensive experience in software development and software project management'. Discusses their Client Management System.
<u>63</u>	NSW	*Support changes. *Phone-line should be like Centrelink where callers talk to local services. *Consultation is needed with services before catchment/service areas are increased. *Advocacy should not be disability specific especially in rural areas. *Problems often are not driven by disability but the people/service the person with a disability comes in contact with. *Discuss roles of workers in a hub and spoke model.
<u>64</u>	VIC	*Support. *Shift to generic advocacy services will take more than 12/18 months. *National Workplace IV accreditation is not adequate and needs work if this is to be the training for advocacy staff.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>65</u>		<p>*Have a number of concerns over the evaluation, the role of the consultants and the time taken to write the report and this `failure' to meet deadlines has impacted on services. *Department must provide feedback to organisations on their reporting against contracts.*KPI do not address the need to assess the performance of NDAP as a whole. *Support idea that most vulnerable are given highest priority however it must not lead to program becoming crisis driven and would reject any prioritisation model that equated the severity of disability with the capacity to self advocate. *Specialist services should not be phased out. *Individual and Systemic advocacy should not be split.</p>
<u>66</u>	QLD	<p>*Recommend FaCSIA withdraw the evaluation of the NDAP Final Report and issue a statement recognising the evaluation is unsatisfactory and does not provide a foundation for proposed change *FaCSIA should also issue a statement of regret over the failure of the Social Options report and suspend review until a review of current and recent programs and initiatives at state, federal and local level to provide a foundation for any changes. *Recommend the Commonwealth assume sole administrative responsibility for advocacy services under forthcoming CSTDA. *Concerned with disinvesting of Systemic advocacy and the idea that Peak bodies carry out this work should be withdrawn. *Competitive tender should be stopped. *Outreach services are needed. *While base generalisation is a good idea for agencies, specialised agencies are still needed. *More work is needed on framework.</p>
<u>67</u>	VIC	<p>*Supports reform. *Wants importance of Systemic advocacy addressed. *Do not support specialisation for particular groups or topics and believes they should all be cross-disability/issue. *Do not think the triage system will work.</p>
<u>68</u>	VIC	<p>*Willing to work with government. *Would like to see acknowledgement that Individual and Systemic advocacy is valued. *Believe more funding is needed and do not support funding being taken away from Victoria as part of redistribution. *Concerned over move towards generalising services. *Do not support prescriptive policies and procedures and believe there needs to be more consultation around this.</p>
<u>69</u>		<p>*Generally support. *Advocacy needs to be independent -feel the tender process could result in large community services which are providers of services also providing advocacy which is compromising. *Need to take state contributions into account.</p>
<u>70</u>	QLD	<p>*Disagree with assumptions that underpin the reform. *Do not agree with decreased funding for Systems advocacy</p>

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>71</u>	NSW	*Support. *If FaCSIA takes into account state funding when reformulating where funding will go they need to take into account services who do not receive funding for any other source aside from FaCSIA. *Concern over open tender as advocacy services should stand alone and be independent. Is a person may have a complaint against an agency that also is providing the advocacy
<u>72</u>		*Notes that unless systemic changes such as government or legal changes occur the advocacy program cannot promise a person their rights. *Notes that those with no voice are better off under the current program. *Advocacy for parents should be a separately funded system.
<u>73</u>	NSW	*Generally support. *Policies and procedures introduced must be flexible to cater for different client groups and geographical areas. *Concerned over diagnostic table which tends to mirror diagnostic approaches to service provision. *Suggest that while awareness of program is important increasing demand may lead to highlighting areas of inequity in the program. Another idea would be to inform existing information lines to ensure referral.
<u>74</u>		*Concerned with family carers. *Feels that carers should have more of a role in the decisions for people with a disability. *Agrees with changes however queries if priority table or benchmarks include family carers.
<u>75</u>	NSW	*Believe Individual and family advocacy is already taking place. *Agree in theory to measurable goals. *Do not necessarily agree with priority table, policy and procedures. *Believe the rebalance of funding should be carried out through needs analysis rather than competitive tender. *All levels of change should include consumer consultation.
<u>76</u>	VIC	*Supports phone-line and branding. *Queries how much funding for advocacy hits the 'coal face'
<u>77</u>		*Believe the proposal does not acknowledge/take into account self advocacy burn out. The emotional impact can be burden even for a capable person. *Self advocacy does not have a paper trail so there needs to be a way to monitor issues independently advocated. *Note some people have variable illnesses ie they may be able to self advocate at some times and not others.
<u>78</u>	NSW	*Generally supportive *Would like to see a model for Systemic advocacy working alongside Individual advocacy being created and incorporated into NDAP. *Concern over priority table

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>79</u>	ACT	*Supportive. *The core principles of advocacy and the quality of outcomes for Individuals needs to stay at the centre of the program. *Provision for Systemic, specialist and Citizen advocacy needs to be made.
<u>80</u>	VIC	*There is not any training for people with disabilities in Systemic advocacy. This service ran a Systemic Advocacy Pilot Project for people in their region and were inundated with enquiries.
<u>81</u>	SA	*Generally supportive. *In relation to hotline they are unsure about what would happen when a persons disability is hidden, unrecognised or not understood by the service provider. Also the phone-line will discriminate against people with acquired brain injury because they would not recognise the agency as one they could use.
<u>82</u>	WA	Question how the Australian Government is assisting people to make private financial provisions for accommodating and caring for a disabled child. comment that there are words about a \$500,000 trust account but question where the action on how to achieve this figure is. Note Intellectual health is ongoing expense. *Believe more advocates need to be funded.
<u>83</u>	VIC	*Supportive. *Concern over guide lines for Priority table, dissemination over phone line, the language use for KPI's and feels the paper make it potentially difficult for people with disabilities to understand.
<u>84</u>	SA	*Feels that advocacy needs to be more grass roots- for example professionalising training makes it more about the `head' then `heart' though training and understanding is needed.
<u>85</u>		*Supportive. *Has addressed KPI's
<u>86</u>	NT	*Generally supportive. *Note the different situation they face due to servicing Indigenous clients and geographically vast region - need flexibility and awareness of this in the proposed changes. *Regarding minimum qualifications -this could mean it is hard to recruit people as in some geographic areas it is difficult to find qualified people or to afford them. It may be necessary to employ people without the qualifications and then train them.
<u>87</u>	SA	*Concerned over Citizen advocacy, feels it is a beneficial and influential service.

Senate Community Affairs Committee

ANSWERS TO ESTIMATES QUESTIONS ON NOTICE

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO

2006-07 Supplementary Estimates, November 2006

<u>88</u>		*Generally supportive. *Have attached input on employment service quality assurance as they currently overlook people from a Non English Speaking Background (NESB). *Training of services in NESB will take years *Resubmitted their submission for the Social Options paper.
<u>89</u>		*Concern over advocacy moving towards dealing with a `problem' which is prioritised and `dealt with'. Issues dealt with by advocates are often not isolated events and require ongoing advocacy usually at a systems level yet feel the department is seeking a reduction in Systemic advocacy. *Concerned over perceived bureaucratic jargon.
<u>90</u>		*Do not agree with recommendations. *Feel the government needs to recognise contribution of Citizen advocacy. *Gives case examples of consumers. *Comment that the reform assumes incorrectly that paid workers can cover all types of advocacy with no specialisation. Advocacy should be provided by families, paid advocates, Individuals and Citizen advocates *Comment that volunteers may leave if they are sent to be paid employees and associated with a government department.
<u>91</u>	QLD	Postcard Campaign

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 201

Topic: Special Disability Trust booklet

Hansard Page: CA132

Senator Mc Lucas asked:

What was the cost of producing the Special Disability Trust booklet?

Answer:

\$54,286 (inclusive of GST) was spent in producing the Special Disability Trust booklet.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 202

Topic: Planning for the future - Mediation and Counselling

Hansard Page: CA133

Senator Mc Lucas asked:

Are Mediation Centres funded in a block grant or on a case by case basis?

Answer:

Family Counselling and Mediation Services for families with a son or daughter with a severe disability are funded by annual grants, they are not funded on a case by case basis.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 253

Topic: Young Carers

Hansard Page: written

Senator McLucas asked:

What evaluation of the Supporting Young Carers Project has occurred?

Answer:

There has been no formal evaluation of the Respite and Information Services for Young Carers at this stage.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 254

Topic: Young Carers

Hansard Page: Written

Senator McLucas asked:

Has the department identified unmet demand for support for young carers as part of any evaluation or otherwise?

Answer:

See answer to QuestionNo. 253.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 255

Topic: Carer Allowance Communication Strategy

Hansard Page: Written

Senator Evans asked:

In relation to the recommendations of the Senate Community Affairs Legislation committee report into reducing the backdating provisions for carer allowance, how has the department addressed concerns about awareness of the need to claim carer allowance?

- a) Please provide a list of those organisations with whom the government has consulted.
- b) Has the department held further discussions with those who provided submissions to the enquiry?

Answer:

A carer payments communication strategy commenced in June 2006 addressing the concerns of the Senate Community Affairs Legislation Committee about the lack of awareness of carer payments, in particular, Carer Allowance.

The information targeted general practitioners, specialist medical practitioners, allied health professionals and their patients via their newsletters, member magazines and brochure displays, and the wider community through a variety of media, Medicare offices, Centrelink publications and peak body agencies.

Communication Strategy

The following organisations were approached and agreed to participate in the communication strategy. Articles were provided for publication in newsletters, magazines and e-bulletins to:

Australian Association of Social Workers
Australian Faculty of Occupational Medicine
Royal Australasian College of Physicians
Rural Doctors Association of Australia
Australian College of Rural and Remote Medicine
Royal Australian & New Zealand College of Psychiatrists
National Council on Intellectual Disability
Vision Australia
Blind Citizens Australia
Australian Association for Families of Children with Disability
Carers Australia
National Rural Health Alliance
Services for Australian Rural & Remote Allied Health
Australian Nursing Federation
Pharmacy Guild of Australia
Royal College of Nursing

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Consumers Health Forum of Australia
Diabetes Australia
Independent Retirees
About Seniors
Centrelink – News for Carers

Interviews	Good Health TV Pharmacy TV
Brochures/Fact Sheets	Informed Boards Medicare Offices Peak Body/Agency offices To all MPs and Senators during August 2006
Indigenous Radio	Advertisements running throughout Aug/Sept 2006
Press	Primary Regionals (2 runs) Regionals (2 runs) Indigenous (2 runs) Ethnic Press (2 runs)

The department also engaged the following organisations who provided submissions to the committee, in delivering the strategy:

Carers Australia
Australian Association for Families of Children with Disability
National Council on Intellectual Disability
Vision Australia
Blind Citizens Australia

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 359

Topic: Special Disability Trusts – Reporting and Audit Requirements

Hansard Page: CA135

Senator McLucas asked:

What instructions has FaCSIA provided Centrelink to ensure that the Special Disability Trusts meet the objectives of the legislation?

Answer:

FaCSIA has provided instructions on the eligibility criteria, financial statements and audit requirements within the legislative instruments.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.3

Question No: 252

Topic: Special Disability Trusts

Hansard Page: Written

Senator Nash asked:

- (a) I understand that as from 20 September 2006, parents will be able to put up to \$500,000 into a trust to provide for their children's future care needs?
- (b) I understand there will be no means test applied to this measure. Is that correct?
- (c) Would there be any financial impact on that person's (with the disability) income support payments – for example, someone who might be receiving say the Disability Support Pension?
- (d) Would the parents setting up the Trust be subject to the usual gifting rules?
- (e) It is a good measure, but is there any provision for those parents who are also concerned for their children's welfare but who may be unable to participate in this Trust?

Answer:

Parents can contribute as much as they wish to the Special Disability Trust. In addition, a gifting concession of up to \$500,000 is available per disabled person for eligible immediate family members (including parents) who are at, or over age pension or service pension age and are receiving a pension. There is no cap on the assets that can be held in the trust. However, to receive an exemption from the assets test, a limit of \$500,000 (initially and indexed annually) to the trust applies. All the trust's income and distributions are also exempt from the income test.

The establishment of a Special Disability Trust will not be suitable for all parents or carers.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.4

Question No: 256

Topic: Youth Bureau

Hansard Page: Written

Senator Moore asked:

Please provide the FaCSIA expenditure dedicated to facilitate and run the Bureau for Youth Affairs. Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year since 1996.

Answer:

Expenditure for 2005 – 06 to facilitate and run the Youth Bureau was \$7,211,195.

FTE as at 30 June 2006 was 47.24

Administered Expenditure for 2005-06

National Illicit Drug Strategy	\$3,211,000
Mentor Marketplace	\$2,389,000
Reconnect	\$22,722,000
Transition to Independent Living Allowance	\$2,560,000
YouthLinx	\$7,017,000
Total Allocation	\$37,899,000

The Youth Bureau transferred to FaCSIA from the Department of Education, Science and Training (DEST) in 2001 as part of the Machinery of Government changes after the Federal election in November 2001. Prior to 2001 DEST was known as the Department of Education, Training and Youth Affairs (DETYA).

Preparation of funding information prior to 2001 would involve a significant diversion of resources and, in the circumstances, the additional work cannot be justified. This information is available in Annual Reports and Portfolio Budget Statements for the relevant departments. For the years 2001/02 through to 2005/06, the information is available in FaCSIA's Annual Reports and Portfolio Budget Statements for each of these years. The requested information prior to these years will be found in DEST/DETYA's Annual Reports and Portfolio Budget Statements.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.4

(Amended) Question No: 256

Topic: Youth Bureau

Hansard Page: Written

Senator Moore asked:

Please provide the FaCSIA expenditure dedicated to facilitate and run the Bureau for Youth Affairs. Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year since 1996.

Answer (Amended):

The Youth Bureau 2006/07 budget is as follows:

Departmental Budget

*Total Allocation	\$7,211,195
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* Total Allocation will vary from that of the 2006-07 Portfolio Budget Statements as the latter includes corporate costs allocated across the department.

FTE: Allocation is 47.24

Administered Budget

**National Illicit Drug Strategy	\$3,211,000
Mentor Marketplace	\$2,389,000
Reconnect	\$22,722,000
Transition to Independent Living Allowance	\$2,560,000
YouthLinx	\$7,017,000
Total Allocation	\$37,899,000

* *The National Illicit Drug Strategy is funded from Output Group 4.1 Support for Families.

The Youth Bureau transferred to FaCSIA from the Department of Education, Science and Training (DEST) in 2001 as part of the Machinery of Government changes after the Federal election in November 2001. Prior to 2001 DEST was known as the Department of Education, Training and Youth Affairs (DETYA).

Preparation of funding information prior to 2001 would involve a significant diversion of resources and, in the circumstances, the additional work cannot be justified. This information is available in Annual Reports and Portfolio Budget Statements for the relevant departments. For the years 2001/02 through to 2005/06, the information is available in FaCSIA's Annual Reports and Portfolio Budget Statements for each of these years. The requested information prior to these years will be found in DEST/DETYA's Annual Reports and Portfolio Budget Statements.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.4

Question No: 257

Topic: Australian Youth Policy and Action Coalition (AYPAC)

Hansard Page: Written

Senator Moore asked:

Please provide the FaCSIA expenditure dedicated to facilitate and run the Australian Youth Policy and Action Coalition (AYPAC). Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract since 1990.

Answer:

It is understood that AYPAC has not been funded since 30 June 1998. Any information on funding prior to 1998 would be available in the Annual reports of the then DETYA.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 258

Topic: Employment in the Office for Women

Hansard Page: written

Senator Moore asked:

How many people are employed in the Office for Women at the moment?

Answer:

As at 2 November 2006 the Office for Women employed 53 people.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 259

Topic: New Director of the Office for Women

Hansard Page: Written

Senator Moore asked:

- (a) When was the new director appointed?
- (b) What application process was undertaken?

Answer:

- (a) The new Executive Director for the Office for Women was appointed on 19 October 2006.
- (b) The Department advertised for a new Executive Director for the Office for Women in the national press on 12 August 2006 and the Australian Public Service Gazette on 10 August 2006. A competitive selection process was conducted and the appointment was endorsed by the Australian Public Service Commissioner.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 260

Topic: Support for Victims of People Trafficking Programme

Hansard Page: Written

Senator Moore asked:

- (a) Please explain the FACSIA contract with Southern Edge Training who supplied the provision of services for the Victims of Trafficking Support Programme from 1 January 2006 to 30 June 2006, costing a total of \$1,130,000.
- (b) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees of the services provided and their cost for each year under contract.
- (c) Has the contract expired? If so, who is currently providing these services for the Programme?

Answer:

- (a) Following the completion of an open tender process Southern Edge Training was contracted to provide services in relation to case management of the Support for Victims of People Trafficking Programme from 1 January 2006 to 30 June 2007. The funding of \$1,130,000 covers this 18 month period.

(b)

Financial Year	Administered Costs	Departmental Costs
2005-2006 (6 months Jan – June)	\$250,000	\$47,000

- (c) Southern Edge Training is currently contracted until 30 June 2007.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 261

Topic: FaCSIA Contract with Space Time Research

Hansard Page: Written

Senator Moore asked:

Please explain the FaCSIA contract with Space Time Research who supplied the provision of software for the Women's Data Warehouse from 8 April 2006 to 7 April 2009, costing a total of \$216,000.

Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.

Answer:

FaCSIA has purchased a software subscription licence and maintenance from Space Time Research. The software subscription includes the latest release of the following modules:

- SuperCross;
- SuperWeb;
- SuperChannel;
- SuperServer; and
- SuperSite.

Costs – Administrative

Included in OFW operating costs.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 262

Topic: FaCSIA contract with the University of New South Wales who operate the Domestic Violence and Family Violence Clearinghouse

Hansard Page: written

Senator Moore asked:

- a) Please explain the FACSIA contract with the University of New South Wales who operate the Domestic Violence and Family Violence Clearinghouse from 1 January 2006 to 31 December 2007, costing a total of \$1,375, 240.
- b) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.
- c) Will the contract be extended beyond December 2007? When will this information be made public?

Answer:

- a) Following the completion of an open tender process in late 2005, the University of New South Wales won the contract for the operation of the Australian Domestic and Family Violence Clearinghouse (DVCH).
- b) The DVCH provides a central point for the collection of information on Australian domestic violence policies, practices and research information; and relevant information relating to other countries.

Financial Year	Administered Costs	Departmental Costs
2005-2006	\$330,000 (half year cost)	\$4,800 (half year cost)

- c) The contract includes an option to extend at 31 December 2007 for a further 18 months to 30 June 2009. Any decision to extend the contract will be based on a review of services provided, to be conducted in 2007.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 263

Topic: FaCSIA Contract with the University of Queensland

Hansard Page: written

Senator Moore asked:

Please explain the FACSIA contract with the University of Queensland who research the impact of physical activity on outcomes for older women through analysis of the Australian Longitudinal Study of Women's Health from 8 August 2005 to 4 May 2007, costing a total of \$110,000.

Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.

Answer:

FACSIA has contracted the University of Queensland to undertake a research project on the impact of physical activity on outcomes for older women.

The research will examine the relationship between women's physical activity levels and their health and well-being using data from the Australian Longitudinal Study of Women's Health Study (ALSWH) and qualitative data collected from the Women's Active Living Kits Program (WALK) participants. The research team will be required to consult with and consider the advice of a reference group which includes Office for Women, Department of Health and Ageing and Department of Veterans' Affairs.

Costs – Program

2005-06 \$60,000

2006-07 \$50,000.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 264

Topic: FACSIA contract with the Australian Institute of Family Studies (AIFS) regarding the operation of the Australian Centre for Sexual Assault

Hansard Page: written

Senator Moore asked:

- a) Please explain the FACSIA contract with the Australian Institute of Family Studies (AIFS) regarding the operation of the Australian Centre for Sexual Assault from 1 January 2006 to 31 December 2007, costing a total of \$ 1,369,585.
- b) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.
- c) Will the contract be extended beyond December 2007? When will this information be made public?

Answer:

- a) Following the completion of an open tender process in late 2005, the Australian Institute of Family Studies (AIFS) won the contract for the operation of the Australian Centre for the Study of Sexual Assault (ACSSA).
- b) ACSSA improves access to current information and resources in order to assist those committed to working against sexual assault. ACSSA helps to support and develop strategies that aim to prevent, respond to, and ultimately reduce the incidence of this crime.

Financial Year	Administered Costs	Departmental Costs
2005-2006	\$342,000 (half year cost)	\$5,000 (half year cost)

- c) The contract includes an option to extend at 31 December 2007 for a further 18 months to 30 June 2009. Any decision to extend the contract will be based on a review of services provided, to be conducted in 2007.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 265

Topic: APEC 2007

Hansard Page: Written

Senator Moore asked:

Can any documents prepared by the Office for Women for APEC 2007 regarding gender issues be made public? If so, please provide me with a copy.

Answer:

The Office for Women has responsibility for managing two activities associated with APEC 2007. They are:

- an officials' meeting entitled the Gender Focal Point Network, and
- the Women Leaders' Network meeting.

A brochure to publicise the 2007 Women Leaders' Network has been produced and is available on the Office for Women website (*www.ofw.facsia.gov.au*).

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 266

Topic: Optional Protocol to the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

Hansard Page: Written

Senator Moore asked:

If the Commonwealth signed the United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) Optional Protocol, what costs would be incurred on the Australian Government? Please provide a breakdown of these costs for the first five years of implementation.

Answer:

The Government announced in 2000 that it did not intend to become a party to the CEDAW Optional Protocol, and no work has been done to estimate costs.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 267

Topic: National Safety Taskforce

Hansard Page: Written

Senator Moore asked:

In a previous estimates hearing, the Office for Women said that a MINCO (Women's Minister's equivalent of COAG) safety taskforce had been set up. Please explain any developments with this initiative.

Answer:

The Ministerial Conference on the Status of Women (MINCO) in June 2003 agreed to the establishment of a National Women's Safety Taskforce to address the issues of women's safety: sexual assault, domestic violence and Indigenous family violence. The Women's Safety Taskforce comprises women's office officials from the Australian Government and each State and Territory. It is chaired by the State that is the Chair of MINCO (currently South Australia).

Recent developments include:

Input into the recent National Drink Spiking Awareness Campaign. The Australian Government Office for Women provides an advisory role to the steering committee on behalf of the Safety Taskforce.

A jurisdiction-wide audit of 'Community Led Solutions to Indigenous Family Violence' as a discussion paper for the Indigenous Women's Gathering (IWG) 2006. The IWG delegates represented the Australian Government and all States and Territories.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 268

Topic: Women's Services Network

Hansard Page: written

Senator Moore asked:

- a) Please explain a former FaCSIA funding contract with the Women's Services Network, the peak violence body.
- b) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract since 1990.

Answer:

FaCSIA does not provide funding to the Women's Services Network.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 269

Topic: FaCSIA Contract with National Association of Services Against Sexual Violence

Hansard Page: written

Senator Moore asked:

Please explain a former FACSIA funding arrangement with the National Association of Services Against Sexual Violence, the peak sexual assault body.

Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract since 1990.

Answer:

FaCSIA does not provide funding to the National Association of Services Against Sexual Violence.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 270

Topic: Women's Secretariats

Hansard Page: Written

Senator Moore asked:

Please provide the FaCSIA expenditure dedicated to facilitate and run the Women's Secretariats.

Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract since 1990. Please include line item for each secretariat.

Answer:

Each of the four Secretariats receives the same amount of funding of \$150,000 per year.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 272

Topic: Women's Safety Agenda

Hansard Page: written

Senator Moore asked:

(a) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the programmes and services funded under the Women's Safety Agenda and their cost each year since implementation.

(b) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the projects and services funded by the Women's Safety Agenda Grants program and their cost for each year since implementation.

Answer:

a)

Program element	Administered Costs 2005-06 (GST Exclusive)	Departmental Costs 2005-06
Campaign/Helpline	\$12 m	\$180,000
Training Initiatives	\$0.08 m	\$180,000
Research and Information	\$3.5 m	\$165,000
Community Projects / Indigenous Includes: <ul style="list-style-type: none"> • Indigenous Projects • Indigenous Women's Meeting 	\$1.06 m	\$180,000

The names of the projects and recipients of the grants are posted on the Office for Women website as each round is announced.

b) Projects (Grants) funded during 2005-06 as part of the Domestic and Family Violence and Sexual Assault Initiative.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

(Amended) Question No: 272

Topic: Women's Safety Agenda

Hansard Page: written

Senator Moore asked:

(c) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the programmes and services funded under the Women's Safety Agenda and their cost each year since implementation.

(d) Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the projects and services funded by the Women's Safety Agenda Grants program and their cost for each year since implementation.

Answer (Amended):

a)

Program element	Administered Costs 2005-06 (GST Exclusive)	Departmental Costs 2005-06
Campaign/Helpline	\$12 m	\$180,000
Training Initiatives	\$0.08 m	\$180,000
Research and Information	\$3.5 m	\$165,000
Community Projects / Indigenous Includes: <ul style="list-style-type: none"> • Indigenous Projects • Indigenous Women's Meeting 	\$1.06 m	\$180,000

The names of the projects and recipients of the grants are posted on the Office for Women website as each round is announced.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

b) Projects (Grants) funded during 2005-06 as part of the Domestic and Family Violence and Sexual Assault Initiative.

Organisation	2005-06 Ex GST Expenditure
Women with Disabilities	\$ 49,863.64
Magnolia Place Womens Shelter	\$ 10,000.00
Relationships Australia (Tasmania)	\$ 97,000.00
Gold Coast Centre Against Sexual Violence	\$ 23,200.00
Bwgcorman Future Foundation	\$ 37,833.15
Sisters Inside Inc	\$ 42,000.00
Kyabra Community Association Inc.	\$ 32,500.00
Brisbane Indigenous Media Association	\$ 80,300.00
Pacific Island Women's Advisory & Support Service	\$ 115,166.36
University of Newcastle (Family Action Centre)	\$ 27,675.45
National Rural Womens Coalition	\$ 37,250.00
Barnardos Auburn	\$ 2,500.00
People with Disabilities	\$ 19,506.36
International Social Services	\$ 19,500.00
Liverpool Migrant Resource Centre	\$ 58,362.50
Wilma Women's Health Centre	\$ 35,623.65
Pat Thomas Memorial Community House	\$ 55,200.00
Incest Survivors Association	\$ 8,940.00
Northern Territory Legal Aid Commission	\$ 35,550.00
Victims of Crime Northern Territory	\$ 23,250.00
Relationships Australia (Victoria)	\$ 55,575.00
Zonta Club of Frankston	\$ 10,500.00
Eastern Centre Against Sexual Assault	\$ 10,000.00
Inner South Community Health Services	\$ 53,000.00
Womens Health West	\$ 10,000.00
Domestic Violence Crisis Service	\$ 26,100.00
WOWSafe	\$ 10,000.00
	\$ 986,396.11
Advertising	\$ 18,245.00
TOTAL EXPENDITURE	\$ 1,004,641.11

Departmental costs as per answer a)

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 273

Topic: Violence Against Women. Australia Says NO. campaign advertising costs

Hansard Page: Written

Senator Moore asked:

(a) How much has it cost to run the Violence Against Women Australia Says No campaign in total? In the 2005-06 financial year? Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the projects and services funded through the Australia Says No campaign. Include in this breakdown the Helpline, advertising and any other relevant costs. Please provide the total and individual costs per year and per project.

(b) Please provide a breakdown of the Australia Says No advertising costs. Please provide these amounts per year and project. Please also provide a list of where and what outlets the campaign was advertised in.

Answer:

(a)

	2005-06
Advertising	\$8 m
Helpline	\$3.5 m
Referral Payments	\$1 m
Other	\$0.7 m
Total	\$13 m

(b) The Violence Against Women. Australia Says NO. campaign was advertised in 2006 via:

- Television;
- Cinema (metropolitan and regional);
- Magazines;
- Ethnic Press;
- Indigenous Press; and
- Washrooms.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 274

Topic: Violence Against Women. Australia Says NO. campaign Helpline costs

Hansard Page: written

Senator Moore asked:

FaCSIA contracted Lifeline Australia to run the Australia Says No campaign Helpline at a cost of \$11,128,489 from 20 May 2004 until 30 June 2006. Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.

Answer:

Lifeline Australia has been paid the following to run the 'Violence Against Women. Australia Says NO.' Helpline:

- \$0.9 m (Incl GST) for the 2003-2004 financial year.
- \$3.2 m (Incl GST) for the 2004-2005 financial year.
- \$3.5 m (Incl GST) for the 2005-2006 financial year.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 275

Topic: Violence Against Women. Australia Says NO. campaign Helpline statistics

Hansard Page: written

Senator Moore asked:

In relation to the Helpline, please provide:

- a) The number of people who have called to this date (please provide total numbers by month and year)
- b) The reason they called;
- c) The age of the callers;
- d) The gender of the callers; and
- e) How many times each person called.

Answer:

(a) From its start in June 2004 until the 31 October 2006, the Violence Against Women. Australia Says NO. Helpline received 77,000 calls.

Figures for all calls to end March 2006 were provided in answer to QON 143 of the Budget Estimates 2006.

Figures for period April to end October 2006 are as follows:

Month	2006
April	3400
May	970
June	1100
July	990
August	2400
September	2200
October	1300
November	NA
December	NA

(b) The stated reasons for calls were that about 70 per cent of calls related to Domestic Violence, about 20 per cent to Sexual Assault and about 10 per cent to Domestic Violence and Sexual Assault.

(c)(d)(e) Caller details are not required to be given to the Helpline for confidentiality reasons.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 276

Topic: Violence Against Women. Australia Says NO. campaign research

Hansard Page: written

Senator Moore asked:

Please explain the FaCSIA contract with Elliott Shanahan regarding market research they conducted into the effectiveness of the Australia Says No campaign starting January 2006 and ending in June 2006, costing a total of \$250 000. Please provide a summary of report.

Answer:

Elliott & Shanahan Research is the research consultant for the “Violence Against Women. Australia Says NO”. campaign, and conducts all research activities for the duration of the campaign.

The FaCSIA contract with Elliott & Shanahan Research, capped at \$250,000 (total cost \$231,384), required them to conduct evaluation and tracking research on the campaign.

It is standard practice in Government campaigns that any research commissioned by the Government for the purpose of campaign development or evaluation is not available for general release until after the campaign has finished running.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 277

Topic: Violence Against Women. Australia Says NO. campaign – Grey Worldwide Pty Ltd

Hansard Page: written

Senator Moore asked:

Please explain the FaCSIA contract between Grey Worldwide Pty Ltd regarding advertising material for National Relationship Violence and Sexual Assault campaign starting 13 November 2003 and ending in 30 June 2006, at a total cost of \$1,091,590. Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.

Answer:

Grey Worldwide Pty Ltd was contracted for the “Violence Against Women. Australia Says NO”. campaign to develop creative materials for the duration of the campaign.

Grey Worldwide Pty Ltd – Expenditure (GST Incl)	
2003/04	\$8.4 m
2004/05	\$0.1 m
2005/06	\$67,000

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

(Amended) Question No: 277

Topic: Violence Against Women. Australia Says NO. campaign – Grey Worldwide Pty Ltd

Hansard Page: Written

Senator Moore asked:

Please explain the FACSIA contract between Grey Worldwide Pty Ltd regarding advertising material for National Relationship Violence and Sexual Assault campaign starting 13 November 2003 and ending in 30 June 2006, at a total cost of \$1,091,590. Please provide a detailed summary (by line item including program and administrative costs including equivalent full time employees) of the services provided and their cost for each year under contract.

Answer (Amended):

Grey Worldwide Pty Ltd was contracted for the “Violence Against Women. Australia Says NO”. campaign to develop creative materials for the duration of the campaign.

Grey Worldwide Pty Ltd – Expenditure (GST Incl)	
2003/04	\$0.84 m
2004/05	\$0.1 m
2005/06	\$0.2 m

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 278

Topic: Mensline

Hansard Page: Written

Senator Moore asked:

- (a) How much money did the Office for Women give to Mensline during the 2005-06 financial year? Please explain the purpose of this funding and what programmes and services it was intended for.
- (b) Is the Office for Women aware of recent Mensline television advertisements?
- (c) Was any Office for Women funding used to finance these ads? If so, has the Office for Women received any complaints or concerns regarding the content of these advertisements?

Answer:

- (a) The Office for Women did not provide funding to Mensline during the 2005-06 financial year.
- (b) The Office for Women is aware of the recent Mensline advertisements.
- (c) The Office for Women did not fund the recent Mensline television advertisements.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 279

Topic: Violence Against Women Australia Says No Campaign – advertising in New Weekly magazine

Hansard Page: Written

Senator Moore asked:

I refer to the Office for Women to the Australia Says No advertising and an excerpt published in a New Weekly magazine:

“Violence and assault against women is always unacceptable and, of course, most men understand that. Sometimes this behaviour is criminal and should be reported immediately. Women who have suffered it should never feel at fault. Instead they should seek help and advice. It could be from friends or parents, or it could be talking to an experienced counsellor on the new Confidential Helpline. You can also visit our website www.australiasaysno.gov.au. Violence against women is a serious social problem. It will only stop if everybody in Australia says No.”

- (a) Can you please explain this advertisement and its aims? Why does it say that ‘sometimes this behaviour is criminal? Isn’t assault always criminal? When isn’t it? Why doesn’t the advertisement say that victims of violence should go to the Police?
- (b) Has the Office for Women conducted any research that may suggest that:
- The reporting of violence against women has increased since the implementation of the Australia Says No campaign; and
 - There has been an increase in demand for emergency accommodation services such as women’s and children’s refuges.

Answer:

a) The campaign focuses on the unacceptability of violence against women within close relationships and encourages both females and males, victims and perpetrators, and friends and family to contact the national Helpline on 1800 200 526 for counselling, assistance and referral to relevant support services.

This campaign concentrates its television advertising on the criminal aspects of physical violence and sexual assault as these are the most serious forms of violence against women. Other parts of the campaign, including print advertisements, an information booklet and other resources acknowledge that violence against women also includes a wide range of other behaviours that are unacceptable but may not result in criminal charges.

b) The Office for Women has not conducted any research on the reporting of violence against women or demand for emergency accommodation services such as women and children’s refuges with reference to this campaign.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 280

Topic: Violence Against Women. Australia Says NO. campaign referral payments

Hansard Page: Written

Senator Moore asked:

On many occasions during Senate Estimates hearings, the Office for Women has said that women's services will have increased demand due to the Australia Says No campaign. If this is the case, then why on the Office for Women website does it say that:

“This funding [directed towards Mensline] recognises the demand on Mensline's services that will be generated through the re-running of the Violence Against Women. Australia Says No campaign and will provide counsellors at Mensline with training and materials on domestic violence.”

Why does the Office for Women recognise that due to the Australia Says No campaign, men's services will have increased demand, but not women's?

Answer:

The Australian Government has recognised increases to women's services through the provision of the \$100 referral payment to specialist domestic violence and sexual assault services for every referral made from the Violence Against Women. Australia Says No Helpline.

Senate Community Affairs Committee
ANSWERS TO ESTIMATES QUESTIONS ON NOTICE
FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS PORTFOLIO
2006-07 Supplementary Estimates, November 2006

Output Group: 2.5

Question No: 271

Topic: Women's Leadership and Development Programme Grants

Hansard Page: Written

Senator Moore asked:

Please provide the FACSIA expenditure dedicated to women's affairs grants.

Please provide in this list all grants funded under the Office for Women and other FACSIA units.

Please provide (by line item including program and administrative costs including equivalent full time employees):

- their total and individual cost per year since 2000;
- the projects funded; and
- how long they were funded for.

Answer:

The Office for Women manages expenditure for the Women's Safety Agenda (WSA) Grants and the Women's Leadership and Development Programme (WLDP) Grants.

Total administered and departmental expenditure for the WLDP and WSA Grants excluding GST is:

Financial Year	Administered Costs	Departmental Costs
2004-05 (WLDP Grants only)	\$590,000	\$88,000
2005-06	\$1.2 m	\$270,000
TOTAL	\$2.4 m	\$355,000

Details of grants allocated under the WSA have been provided in the response to Question on Notice No. 272.

A list of projects funded for the 2004-05 and 2005-06 WLDP Grants is available on the Office for Women website. All projects are funded for a period of 12 months.